



















CORPORATION PROCEEDINGS  
COMMON COUNCIL  
CITY HALL - BUFFALO  
TUESDAY, JANUARY 11, 2011  
AT 2:00 P.M.

Present – David A. Franczyk, President of the Council, and Councilmembers: Fontana, Golombek, Kearns, LoCurto, Pridgen, Rivera, Russell & Smith - 9  
Absent - None

On a motion by Mr. Fontana, Seconded by Mr. Rivera, the minutes of the stated meeting held on December 28, 2010 were approved.

	* A Y E *	N O *
FONTANA	*  *	*  *
FRANCZYK	*  *	*  *
GOLOMBEK	*  *	*  *
KEARNS	*  *	*  *
LOCURTO	*  *	*  *
PRIDGEN	*  *	*  *
RIVERA	*  *	*  *
RUSSELL	*  *	*  *
SMITH	*  *	*  *

[-----]  
[ MAJ - 5 ]  
[ 2/3 - 6 ]  
[ 3/4 - 7 ]

[illegible]

8

FROM THE MAYOR

January 11, 2011

FROM THE MAYOR - EXECUTIVE DEPARTMENT

January 11, 2011

4

FROM THE OFFICE OF CITIZEN SERVICES

00001

COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL

DATE: January 5, 2011

FROM: DEPARTMENT: Office of the Mayor

DIVISION: Citizen Services

SUBJECT: Submission of Monthly Report- December 2010

The Office of Mayor, Division of Citizen Services, hereby submits, for your Honorable Body's review and approval, the monthly reports for the Mayor's Call and Resolution Center for the month of December 2010, as mandated by Section 6-20(c) of the City of Buffalo's City Charter. This monthly statistical report details the number and nature of inquiries, requests and complaints received.

Department Head Name: Oswaldo Mestre Jr.

Title: Director, Citizen Services

Signature of Department Head: 

RECEIVED AND FILED

City of Buffalo  
Citizen Services  
218 City Hall

Calls Between 12/1/2010 and 12/31/2010

Name	Opened During Period
Administrative Adjudication	2
Americorp	322
Anti-Graffiti Program	17
Assessment Issue	2
BFD Fire Issue	4
BMHA	4
BPD Employee Issue	7
Buffalo Police Department	77
Citizens' Information	75
City Clerk Issue	1
City Parks	4
CityClerk Dog License	2
CommSvs CommunityBased Organizations	1
EDPIS	713
Fire Hydrant	1
Illegal Dumping PW_Curb	6
Illegal Dumping PW_Street	1
Inrem Real Estate	15
Law Claims	74
NationalGrid Streetlights	221
Olmsted Parks	4
OSP Housing Loans	1
OSP Other Issue	1
Pest	20
PVB Abandoned Vehicle	44
PVB Meter Issue	136
PVB Parking Issue	127
PW Adj Violations	32
PW Animals	31
PW Bridge Issue	3
PW Buildings Maintenance	2
PW Bulk Trash	9
PW Cave In	7
PW Christmas Tree	1
PW City Forester	3
PW Curbs	3
PW Damage from Snow Removal	35
PW Damage from Sts Worker	34
PW Damaged Street Light Pole	8
PW Dead Animal Removal	7
PW Excess Trash	4
PW Foreslry SubContractor	21
PW Garbage Missed Pickup	186
PW Leaves / Lawn Debris	10
PW Missed 2_Piece Trash	7
PW Other Hole in Road	7
PW Park Garbage Pickup	1
PW Paving	8

## 218 City Hall

*Calls Between 12/1/2010 and 12/31/2010*

Name	Opened During Period
PW Plowing Issue	277
PW Pot Hole	41
PW Recreation	3
PW Recycling Bin Delivery	12
PW Recycling Missed Pickup	144
PW Recycling Personnel Issue	4
PW Right of Way Issue	5
PW Rodents	57
PW Sanitation Personnel	15
PW Sidewalks	16
PW Sign Hazards	18
PW Sign Maintenance	41
PW Signal Other Issue	23
PW Signal Timing Issue City	3
PW Street Plowing	1451
PW Street Salting	33
PW Streets Personnel	19
PW Totes	640
PW Totes Audit	25
PW User Fee	3
PW Vacant Lot	4
Quick Response Teams	42
Recycling Bin Pickup	16
Save Our Streets	7
Sewer	37
Taxation Issue	2
Water	49
Water_Billing_Meter	2
Website Issues	5

8

FROM THE COMPTROLLER

January 11, 2011

00002

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL:  
DATE: January 03, 2011

FROM: DEPARTMENT: Audit & Control

SUBJECT: [:Comprehensive Annual Financial Report  
[:For the Fiscal Year Ended June 30, 2010  
[:  
[:

PRIOR COUNCIL REFERENCE: (IF ANY)  
Ex. (Item No. xxx, C.C.P. xx/xx/xx)

This is to advise that copies of the Comprehensive Annual Financial Report of the Comptroller of the City of Buffalo for the fiscal year ending June 30, 2010 have been delivered to each Councilmember, the Common Council Chief of Staff, the City Clerk, the Mayor and the Budget Office. Included therein is the Audit Report of Drescher & Malecki LLP.

This report is available as a public record for inspection by all interested parties.

Pursuant to Section 35 of the General Municipal Law, the Common Council of the City of Buffalo may, at its discretion, prepare a written response to the report of external audit and file such response with the City Clerk as a public record for inspection by all interested parties not later than April 04, 2011.

  
SIGNATURE  
DEPARTMENT HEAD TITLE : Comptroller Andrew A. SanFilippo

REFERRED TO THE COMMITTEE  
ON FINANCE.

2

FROM THE PRESIDENT OF THE COUNCIL

January 11, 2011



FILLMORE DISTRICT  
COUNCIL MEMBER

00003



**DAVID A. FRANCZYK**  
PRESIDENT  
OF THE  
BUFFALO COMMON COUNCIL

65 NIAGARA SQUARE  
1315 CITY HALL  
BUFFALO, NY 14202-3318  
(716) 851-4138  
FAX: (716) 851-4869  
E-mail:  
dfranczyk@city-buffalo.com  
City of Buffalo Website:  
www.city-buffalo.com

December 27, 2010

Attn: All Council Members  
Gerald Chwalinski, City Clerk

~~Re:~~ Changes to Common Council Committees

Please be informed that, pursuant to section 3-13 of the City of Buffalo, N.Y. Charter ("President of the Common Council; Powers and Duties) and Rule 3 ("Regular Committees") of the Rules of the Order of the Common Council of Buffalo for the years 2010 – 2011, I hereby make the following appointments to the following Common Council committees effective January 1, 2011.

**CIVIL SERVICE COMMITTEE:** Council Member Darius Pridgen replacing Council Member Curtis Haynes Jr.

**FINANCE COMMITTEE:** Council Member Darius Pridgen replacing Council Member Curtis Haynes Jr.

**LEGISLATION COMMITTEE:** Council Member Darius Pridgen replacing Council Member Curtis Haynes Jr.

**SPECIAL COMMITTEE ON EDUCATION:** Darius Pridgen replacing Curtis Haynes, Jr.

**SPECIAL COMMITTEE ON MINORITY BUSINESS ENTERPRISE:** Darius Pridgen replacing Curtis Haynes Jr.

RECEIVED AND FILED

3

00004



FILLMORE DISTRICT  
COUNCIL MEMBER



DAVID A. FRANCIK  
PRESIDENT  
OF THE  
BUFFALO COMMON COUNCIL

65 NIAGARA SQUARE  
1315 CITY HALL  
BUFFALO, NY 14202-3318  
(716) 851-4138  
FAX: (716) 851-4869  
E-mail:  
dfranczyk@city-buffalo.com  
City of Buffalo Website:  
www.city-buffalo.com

## MEMORANDUM

TO: Gerald Chwalinski  
FROM: Councilmember Franczyk  
DATE: January 10, 2011  
RE: First meeting of the Police Reorganization Commission

I would like to file the attached notice for the next Common Council meeting to be held on January 11, 2011.

Thank you.

REFERRED TO THE SPECIAL COMMITTEE  
ON POLICE OVERSIGHT

3A  
RF  
pol over



FILLMORE DISTRICT  
COUNCIL MEMBER



**DAVID A. FRANCZYK**  
PRESIDENT  
OF THE  
BUFFALO COMMON COUNCIL

65 NIAGARA SQUARE  
1315 CITY HALL  
BUFFALO, NY 14202-3318  
(716) 851-4138  
FAX: (716) 851-4869  
E-mail:  
dfranczyk@city-buffalo.com  
City of Buffalo Website:  
www.city-buffalo.com

January 10, 2011

**MAILED TO EACH COMMISSION MEMBER**

WHO: Police Reorganization Commission  
WHAT: First meeting of the Police Reorganization Commission  
WHERE: 14<sup>th</sup> floor of Buffalo City Hall 65 Niagara Square, Buffalo NY 14202 Room 1417.  
WHEN: January 20, 2011, at 6:00 pm.

There will be a meet and greet at 5:30 pm, with the meeting following at 6:00 pm. Enclosed you will find an agenda outlining the areas that will be discussed at the meeting. We encourage you to bring the City Charter sections and resolutions that were previously provided to you.

If you have any questions regarding this meeting, you may contact Melissa Sanchez-Fernandez, Senior Legislative Assistant for the Buffalo Common Council, at 851-4186. We look forward to your participation on this commission.

Sincerely,

David A. Franczyk  
Common Council President  
Fillmore District Council Member

CC: H. Wayne Gerhart, Richard Raines, James J. Sobol, Lesley Haynes, Joseph Mascia, Darnell Jackson, Anthony Lebron, Cliff Braxton, Terry O'Neill, Susan O'Connor Baird, David Spinda, Thomas Higgins, Richard Donovan, Linwood Roberts, Ricky M. Allen, Sr., Robert Meegan, Jr., Sean O'Brien, H. McCarthy Gipson, Daniel Derenda.

15

## **POLICE REORGANIZATION**

### **COMMISSION MEETING**

**January 20, 2011**

**Members:** H. Wayne Gerhart, Richard Raines, James J. Sobol, Lesley Haynes, Joseph Mascia, Darnell Jackson, Anthony Lebron, Cliff Braxton, Terry O'Neill, H. McCarthy Gipson, Thomas Higgins, Richard Donovan, Linwood Roberts, Ricky M. Allen, Sr., Robert Meegan, Jr., Sean O'Brien, Susan O'Connor Baird.

**5:30 pm Meet and Greet**

**6:00 pm Meeting Agenda**

**I. Call to Order**

**II. Welcome / Introductions / Charge of the Commission**

**III. Approval of Last Meetings Minutes (N/A first meeting)**

**IV. Old Business (N/A first meeting)**

**V. New Business**

- 1. Member Responsibilities**
- 2. Organizational Meeting**
- 3. Duties of the Commission**
- 4. Timetable**
- 5. Copy of last Police Reorganization Report provided**

**VI. Adjournment**

21

16

FROM THE COMMISSIONER OF PUBLIC WORKS, PARKS AND STREETS

January 11, 2011

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

**No. 5**

**PASSED January 11, 2011**

Change in Contract-City Court Janitorial (Ell)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:17



18

Mr. Fontana moved:

That the above communication from the Commissioner of Public Works, Parks and Streets dated January 4, 2011, be received and filed; and

That the Commissioner of Public Works, Parks and Streets be, and he hereby is authorized to issue change order No. 1, to NYS Industry for the Disabled, an increase in the amount of \$5,063.64, as more fully described in the above communication, for work relating to City Court, Janitorial Service 2010-11. Funds for this project are available in O&M - Buildings.

Passed



4

TAB:rmv

t:\wp60\msword\rmv\4c1-11a.doc

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	9	0	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 6**

**PASSED January 11, 2011**

Request for 1 Year Sign License-HSBC

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:17

00006

#1 (Rev. 1/93)

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL

DATE: January 5, 2011

FROM: DEPARTMENT: Public Works, Parks & Streets

DIVISION: Engineering

SUBJECT:

[ : HSBC Center  
[ : Request for 1 year sign license  
[ :

PRIOR COUNCIL REFERENCE: (IF ANY)

Ex. (Item No. xxx, C.C.P. xx/xx/xx)

Mr. William Witnauer, Chief Operations Officer for Buffalo Civic Auto Ramps has requested permission to place a portable sign within City right of way for a period of one year as described in Chapter 387-31 G of the City Charter.

The portable sign would be located on Washington Street at the entrance to the underground parking ramp at HSBC Center. The parking ramp is owned by the City and operated and maintained by Buffalo Civic Auto Ramps.

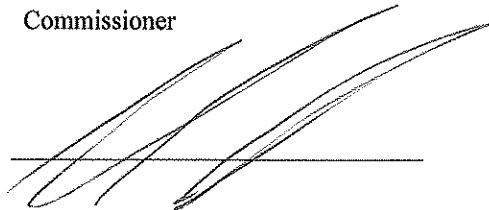
The Department of Public Works, Parks and Streets, hereby recommends approval of this request in accordance with the aforementioned City Charter Chapter.

SJS:PJM:MGM:kem

TYPE DEPARTMENT HEAD NAME: Steven J. Stepniak

TYPE TITLE: Commissioner

SIGNATURE OF DEPARTMENT HEAD:

A handwritten signature in dark ink, appearing to be 'SJS', written over a horizontal line.

20

5

21  
Mr. Fontana moved:

That the above communication from the Commissioner of Public Works, Parks and Streets dated January 5, 2011, be received and filed; and

That the Commissioner of Public Works, Parks and Streets be, and he hereby is authorized to grant permission to William Witnauer, Chief Operations Officer for Buffalo Civic Auto Ramps to place a portable sign within City right-of-way at the entrance to the underground parking ramp at HSBC Center for a period of one year

Passed

TAB:rmv

t:\wp60\msword\rmv\5c1-11a.doc



22

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	9	*	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 7**

**PASSED January 11, 2011**

Request to Purchase Equipment

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:17

00007

23

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL:  
DATE: 12/30/2010  
FROM: DEPARTMENT: Public Works/Parks  
SUBJECT: [Request to Purchase Equipment  
[  
[  
[

PRIOR COUNCIL REFERENCE: (IF ANY)  
Ex. (Item No. xxx, C.C.P. xx/xx/xx)

Purchase (1) Zamboni 545 or equivalent for use in parks to  
clean & perfect surface of ice on ice rinks

Total \$ 87,000.00

Funds to come out of  
32300106-445100 82,000.00  
30500106-445100 5,000.00

SIGNATURE

DEPARTMENT HEAD TITLE :

COMMISSIONER OF PUBLIC WORKS

SJS/PJM/CMB

6

24  
Mr. Fontana moved:

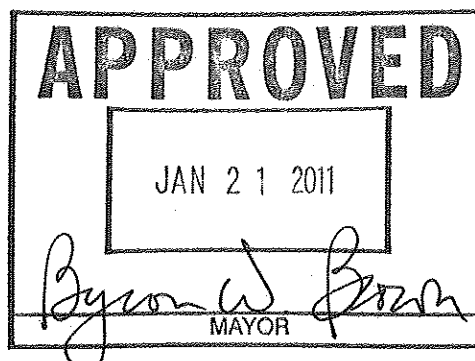
That the above communication from the Commissioner of Public Works, Parks and Streets dated December 30, 2010, be received and filed; and

That the Commissioner of Public Works, Parks and Streets and the Director of Purchase be, and they hereby are authorized to purchase the above described Zamboni 545 in the amount of \$87,000.00. Funds for the purchase are available in 32300106-445100 in the amount of \$82,000.00 and 30500106-445100 in the amount of \$5,000.00.

Passed

TAB:rmv

t:\wp60\msword\rmv\6c1-11a.doc



\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

\* 9 0 \*

**Certificate of Appointment**

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

12/29/10

in the Department of

**Public Works**

Division of

**Streets**

to the Position of

**Dog Control Officer**

Permanent, Provisional, Temporary, Seasonal (Insert one)

**PERMANENT**

Appointment, Promotion, Non-Competitive (Insert one)

**PROMOTION**

Minimum, Intermediate, Maximum, Flat (Insert one)

**THIRD STEP**

(Enter Starting Salary) : Starting Salary of:

**\$24,074**LAST JOB TITLE **Animal Shelter Attendant**LAST DEPARTMENT **DPW**LAST SALARY **\$22,222**DATE **12/10**

NAME

**Heather Murray**

ADDRESS

**101 Hubbell Avenue**

CITY &amp; ZIP

**Buffalo, NY 14220**LAST 4 DIGITS OF SSN. **XXX-XX-8500**

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. **XXX-XX-**

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

**15203001**

BUDGET ACCT. OBJ.

**411001 PROJ. ID**

SALARY RANGE OF POSITION

**\$22,070-\$34,679**

TITLE CODE NO

**2850**

PERSONNEL REQ. NO

**2010-61**

PER YEAR DAY HOUR

**YEAR**

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

**Steven J. Stepniak**

TITLE OF APPOINTING AUTHORITY:

**Commissioner**

DATE:

**12/7/10**

SIGNATURE OF APPOINTING AUTHORITY:



ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET

#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

**Certificate of Appointment**

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **01/03/2011**  
in the Department of **Public Works, Parks & Streets**  
Division of **Parks**  
to the Position of **Program Coordinator**  
Permanent, Provisional, Temporary, Seasonal (Insert one) **PERMANENT**  
Appointment, Promotion, Non-Competitive (Insert one) **NON-COMPETITIVE**  
Minimum, Intermediate, Maximum, Flat (Insert one) **INTERMEDIATE**

(Enter Starting Salary) : Starting Salary of: **\$39,040**

LAST JOB TITLE **Recreation Instructor** NAME **Michael Milovich**  
LAST DEPARTMENT **Parks** DATE **12/14/10** ADDRESS **102 Farmer Street**  
LAST SALARY **\$38,280** CITY & ZIP **Buffalo 14207**  
LAST 4 DIGITS OF SSN. **XXX-XX-4463**

LAST JOB TITLE NAME  
LAST DEPARTMENT DATE ADDRESS  
LAST SALARY CITY & ZIP  
LAST 4 DIGITS OF SSN. **XXX-XX-**

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE **14222001** TITLE CODE NO **1870**  
BUDGET ACCT. OBJ. **411001** PROJ. ID PERSONNEL REQ. NO **2009-154**  
SALARY RANGE OF POSITION **\$36,483-41,649** PER YEAR DAY HOUR **YEAR**

REASON FOR APPT. ABOVE THE MINIMUM:

**Mr. Milovich is currently working as a Recreation Instructor at \$38,280 per year. Per Local 650 Union Agreement, Mr. Milovich is to receive at least a \$250 increase in salary. We are starting him at the 3<sup>rd</sup> increment of \$39,040.**

NAME OF APPOINTING AUTHORITY: **Steven J. Stepniak**  
TITLE OF APPOINTING AUTHORITY: **Commissioner of Public Works, Parks & Streets**  
DATE: **12/14/2010**

SIGNATURE OF APPOINTING AUTHORITY: \_\_\_\_\_

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)  
OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET  
#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

## Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

12/29/10

in the Department of

Public Works

Division of

Water

to the Position of

Senior Rate Clerk

Permanent, Provisional, Temporary, Seasonal (Insert one)

PERMANENT

Appointment, Promotion, Non-Competitive (Insert one)

PROMOTION

Minimum, Intermediate, Maximum, Flat (Insert one)

FOURTH STEP

(Enter Starting Salary) : Starting Salary of:

\$36,251

LAST JOB TITLE Account Clerk-Typist

LAST DEPARTMENT DPW

DATE 12/10

LAST SALARY \$35,127

NAME

Raylena Cunningham

ADDRESS

442 Highgate Avenue

CITY &amp; ZIP

Buffalo, NY 14215

LAST 4 DIGITS OF SSN. XXX-XX-0663

LAST JOB TITLE

LAST DEPARTMENT

DATE

LAST SALARY

NAME

ADDRESS

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. XXX-XX-

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

53003501

BUDGET ACCT. OBJ.

411001 PROJ. ID

TITLE CODE NO

0021

SALARY RANGE OF POSITION

\$33,303-\$37,249

PERSONNEL REQ. NO

2010-84

PER YEAR DAY HOUR

YEAR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

Steven J. Stepniak

TITLE OF APPOINTING AUTHORITY:

Commissioner

DATE:

12/7/10

SIGNATURE OF APPOINTING AUTHORITY:



ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET

#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

FROM THE COMMISSIONER OF POLICE

00011

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL: DATE: December 22, 2010

FROM: DEPARTMENT: POLICE

DIVISION: \_\_\_\_\_

SUBJECT: | : Drug Asset Forfeiture Annual Certification Report  
| : and Audit for Fiscal Year Ending June 30, 2010  
| :

PRIOR COUNCIL REFERENCE: (IF ANY) | :  
Ex. (Item No. xxx, C.C.P. xx/xx/xx)

TEXT: (TYPE SINGLE SPACE BELOW)

Enclosed please find the completed audit report and certification report for the fiscal year ended June 30, 2010.  
This report is being filed with your Honorable Body as an informational item.  
If you have any questions regarding the above mentioned, please contact Inspector Joseph Strano at 851-4624.

\_\_\_\_\_  
DD/jws

**REFERRED TO THE COMMITTEE  
ON FINANCE.**

TYPE DEPARTMENT HEAD NAME: DANIEL DERENDA

TYPE TITLE: COMMISSIONER OF POLICE

SIGNATURE OF DEPARTMENT HEAD: \_\_\_\_\_

00012

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCILTO: THE COMMON COUNCIL: DATE: DECEMBER 30, 2010FROM: DEPARTMENT: POLICE

DIVISION: \_\_\_\_\_

SUBJECT: | : Drug Asset Forfeiture Wire Transfers  
| :

PRIOR COUNCIL REFERENCE: (IF ANY) | : Item No. 104, C.C.P. 2/2/88

Ex. (Item No. xxx, C.C.P. xx/xx/xx)

TEXT: (TYPE SINGLE SPACE BELOW)

09-DEA-520193	C2-09-0133	2,348.40
09-DEA-518639	C2-09-0115	11,955.25
10-DEA-535026	C2-10-0142	2,147.37
10-DEA-534540	C2-10-0137	1,526.58
10-DEA-534550	C2-10-0137	4,733.58
10-DEA-534501	C2-10-0137	24,953.37
10-DEA-533417	C2-10-0129	2,374.29
09-FBI-002599	245DBF39564	863.40
10-DEA-534528	C2-10-0136	1,651.98
10-DEA-534546	C2-10-0137	1,708.98
10-DEA-535822	C2-09-0137	509.58
10-DEA-524258	C1-09-0031	65,149.66
10-DEA-524258	C1-09-0031	21,162.78 (15% SAFF)
US CUSTOMS	2009090100020201	1,090.60
<b>TOTAL</b>		<b>\$142,175.82</b>

The Drug Enforcement Administration (DEA), U.S. Customs and/or the FBI has administratively forfeited the above referenced property. The funds were received by this Department through wire transfers and duly deposited in the Trust & Agency Account, #20010000-389001. 15% of the DEA funds have been deposited into SAFF account 10440 for fulfilling year 5 expenditures under SAFF legislation. The remaining funds will be placed into one or more of the following accounts as deemed necessary by the Commissioner of Police:

Educational Training/Seminar, Confidential Funds, Materials and Supplies, Firearms and Weapons, Communications and Computers, Electrical Surveillance, Purchase of Services, Improvements, Vehicles, Operating Equipment

If you have any questions regarding the above mentioned, please contact Inspector Joseph Strano at 851-4624.

\_\_\_\_\_  
DJR/jws

TYPE DEPARTMENT HEAD NAME: CHIEF DENNIS J. RICHARDS

TYPE TITLE: CHIEF OF INVESTIGATIVE SERVICES

SIGNATURE OF DEPARTMENT HEAD: \_\_\_\_\_

**RECEIVED AND FILED**



33

New York State Division Of Criminal Justice Services  
**ASSETS FORFEITURE REPORTING PROGRAM**

STATE OF NEW YORK )

) ss:

**AFFIDAVIT pursuant to Civil Practice Law and  
Rules 1311(11)(c)**COUNTY OF ERIE )

I, CHIEF DENNIS RICHARDS, as (claiming agent) (claiming authority), being duly  
(Name)

sworn, depose and state that on 11/12, 11/22, 11/25,  
12/07, 12/15, & 12/23, the BUFFALO POLICE DEPARTMENT  
(Date) (Agency)

received WIRE TRANSFERS having an estimated present value of \$ 142,175.82,  
(check, vehicle, personal property, etc.) (Amount)

pursuant to chapter thirteen of Food and Drug Laws (21 U.S.C. '801 et seq.) of the United States

and/or chapter four of the Customs Duties Laws (19 U.S.C. '1301 et seq.) of the United States and/or

chapter 96 of the Crimes and Criminal Procedure Laws (18 U.S.C. '1961 et seq.) of the United States.

[Signature]  
Signature

DATE: 12/30/2010

CHIEF OF INVESTIGATIVE SERVICES

Title

On the 30 day of December in the year 2010, before me personally came  
(Day) (Month) (Year)

Dennis Richards to me known, who, being by me duly sworn, depose and say  
(Name)

that s/he is employed by the Buffalo PD and that s/he  
(Agency)

was authorized by and did execute the above affidavit at the direction of said entity and that s/he

signed her/his name thereto.

[Signature]  
Notary Public

Marlene J Kovack, Notary Public  
State of New York, Qualified in Erie County  
My Commission Expires 9-30-13

Mail to:  
NYS Division of Criminal Justice Services  
Assets Forfeiture Reporting Program  
Office of Public Safety  
4 Tower Place  
Albany, NY 12203

12/30/2010 08:25  
jstanchak

CITY OF BUFFALO  
SCHEDULE OF DEPARTMENT PAYMENTS TO TREASURER

PG 1  
ardcpmt

REF #: DEPT/LOC: POLICE DATE: Dec. 30, 2010

RECEIPT DESCRIPTION/REFERENCE ACCOUNT

1548936 DRUG ASSET FORF

20010000 389001	2,348.40
20010000 389001	11,955.25
20010000 389001	2,147.37
20010000 389001	1,526.58
20010000 389001	4,733.58
20010000 389001	24,953.37
20010000 389001	2,374.29
20010000 389001	863.40
20010000 389001	1,651.98
20010000 389001	1,708.98
20010000 389001	1,509.58
20010000 389001	65,149.66
20010000 389001 10440	21,162.78
20010000 389001	1,090.60

\*\*\*\* RECEIPT TOTAL

142,175.82

TOTAL COLLECTED/TURNED OVER:

142,175.82

REPRESENTING COLLECTION FROM: 12/30/2010 TO 12/30/2010

REF #: DEPT/LOC: POLICE DATE: Dec. 30, 2010

SIGNATURE: [Signature] TITLE: ST. B. 0615 EXAMINER

ACCOUNT

DESCRIPTION

DEPARTMENT SUMMARY

20010000 389001  
20010000 389001 10440

DEA PROP MISC REVENUE  
SHARE ASSET FF YR 5 RV MISC RV

AMOUNT

121,013.04  
21,162.78

RECEIVED

DEC 30 2010

TREASURY

35

12/30/2010  
08:24:02

PAYMENTS PROOF

PAGE 1  
arcshrc

CLERK: jstanchak  
BATCH ENTRY DATE: 12/30/2010  
BATCH: 10785

RECEIPT YEAR	BILL TYPE	CATEGORY	PRIN PAID	CUST #	NAME	INT PAID	PROPERTY CODE	DISC AMT	REFERENCE	TOTAL PAYMENT
LINE CHARGE	DESCRIPTION			PRIN ADJ			INT HELD			

1548936 2011	MS-	MISC CASH RECEIPTS			CUSTOMER					142,175.82
--------------	-----	--------------------	--	--	----------	--	--	--	--	------------

1	20DUNC 20	DEA MSC	142,175.82		CASH ACCOUNT: 200000000	101000				
20010000	389001	DESC: DRUG ASSET FOR	2,348.40		REF1: 09DEA20193	REF2: C2-09-0133				
20010000	389001	DESC: DRUG ASSET FOR	1,955.25		REF1: 09DEA18639	REF2: C2-09-0115				
20010000	389001	DESC: DRUG ASSET FOR	2,147.37		REF1: 10DEA35026	REF2: C2-10-0142				
20010000	389001	DESC: DRUG ASSET FOR	1,526.58		REF1: 10DEA34540	REF2: C2-10-0137				
20010000	389001	DESC: DRUG ASSET FOR	4,733.58		REF1: 10DEA34550	REF2: C2-10-0137				
20010000	389001	DESC: DRUG ASSET FOR	24,953.37		REF1: 10DEA34501	REF2: C2-10-0137				
20010000	389001	DESC: DRUG ASSET FOR	2,374.29		REF1: 10DEA33417	REF2: C2-10-0129				
20010000	389001	DESC: DRUG ASSET FOR	863.40		REF1: 09FBI02599	REF2: DBF39564				
20010000	389001	DESC: DRUG ASSET FOR	1,651.98		REF1: 10DEA34528	REF2: C2-10-0136				
20010000	389001	DESC: DRUG ASSET FOR	1,708.98		REF1: 10DEA34546	REF2: C2-10-0137				
20010000	389001	DESC: DRUG ASSET FOR	509.58		REF1: 10DEA35822	REF2: C2-09-0031				
20010000	389001	DESC: DRUG ASSET FOR	65,149.66		REF1: 10DEA24258	REF2: C1-09-0031				
20010000	389001	DESC: 15% SAFE YEAR 5	21,162.78		REF1: 10DEA24258	REF2: C1-09-0031				
20010000	389001	DESC: DRUG ASSET FOR	1,090.60		REF1: 10DEA24258	REF2: C1-09-0031				
1	BANK XFER		142,175.82		ADD'L REF#:	US CUSTOMS	REF2: 100020201			

TOTAL RECEIPTS 1 142,175.82  
TOTAL PAYMENTS 142,175.82  
TOTAL PRINCIPAL PAID .00  
TOTAL PRINCIPAL ADJUSTED .00  
TOTAL INTEREST PAID .00  
TOTAL INTEREST HELD .00  
TOTAL DISCOUNT AMOUNT .00

26

FROM THE COMMISSIONER OF ECONOMIC DEVELOPMENT AND PERMIT &  
INSPECTION SERVICES

January 11, 2011

00013

To: The Common Council:

Date: January 5, 2011

From: Department Permit & Inspection Services

Division: Office of Licenses

Subject: [: Food Store (New)  
[: 860 William (Fillmore)

| Type in Upper and |  
| Lower Case Only |

[:  
[:

Prior Council Reference: (If Any) [:

Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Text (Type Single Space Below):

Pursuant to Chapter 194 of the City of Buffalo Ordinances, please be advised that I have examined the attached application for a Food Store License located at **860 WILLIAM (Lucky's/Sharif Saeed)** and find that as to form is correct. I have caused an investigation into the premises for which said application for a food store license is being sought and according to the attached reports from the Zoning Office, Fire Department, Building Inspections, Police Department and Collection Office I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: JAMES COMERFORD

Type Title: COMMISSIONER

Signature of Department Head:

JC:PS:rf

REFERRED TO THE COMMITTEE  
ON LEGISLATION.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

38

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: LUCKY'S

LICENSE TYPE: FOOD STORE

BUSINESS ADDRESS: 860 WILLIAM  
BUSINESS PHONE: (716) 563-8046  
COUNCIL DISTRICT: FI  
POLICE DISTRICT: 08  
APPLICANT NAME: SHARIF SAEED  
APPL. PHONE: (716) 563-6963  
APPLICATION NUMBER: 559415  
REFERRAL DATE: 08/13/2010

NEW LICENSE 2011

DMV 663 917 574  
SAEED Sharif  
2814 S. Park Ave  
Lockport 14268

DOB

~~12-9-10~~

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9/13/10

DISAPPROVED

DATE:

DISAPPROVAL  
CALL BACK

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

Final Walk-Thru

INSPECTOR

RM#

304

EXT

5407

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

Ext, Ext  
SD

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: LUCKY'S

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 860 WILLIAM  
BUSINESS PHONE: (716) 563-8046  
COUNCIL DISTRICT: FI  
POLICE DISTRICT: 08  
APPLICANT NAME: SHARIF SAEED  
APPL. PHONE: (716) 563-6963  
APPLICATION NUMBER: 559415  
REFERRAL DATE: 08/13/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 8-9-7-10

DISAPPROVED

DATE:

DISAPPROVAL  
CALL BACK

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

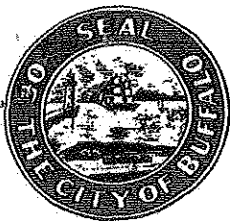
INSPECTOR

*[Signature]*

RM#

EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: LUCKY'S

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 860 WILLIAM  
BUSINESS PHONE: (716) 563-8046  
COUNCIL DISTRICT: FI  
POLICE DISTRICT: 08  
APPLICANT NAME: SHARIF SAEED  
APPL. PHONE: (716) 563-6963  
APPLICATION NUMBER: 559415  
REFERRAL DATE: 08/13/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9-13-10

DISAPPROVED

DATE: \_\_\_\_\_

DISAPPROVAL  
CALL BACK

DATE: \_\_\_\_\_

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

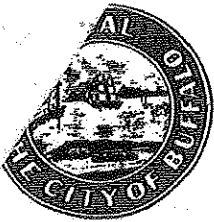
INSPECTOR

RM#

EXT

12 34 5407

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: LUCKY'S

LICENSE TYPE: FOOD STORE 030

NEW LICENSE 2011

BUSINESS ADDRESS: 860 WILLIAM  
BUSINESS PHONE: (716) 563-8046  
COUNCIL DISTRICT: FI  
POLICE DISTRICT: 08  
APPLICANT NAME: SHARIF SAEED  
APPL. PHONE: (716) 563-6963  
APPLICATION NUMBER: 559415  
REFERRAL DATE: 08/13/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 8/30/10

DISAPPROVED

DATE:

REMARKS:

DISTRICT CAPTAIN:

*M. J. M. C.*

APPROVED

DATE:

DISAPPROVED

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW \*\*\*

REMARKS:

COMM. OF POLICE:

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: COLLECTIONS OFFICE

REFERRED TO: COLLECTIONS OFFICE

APPLICATION FOR: LUCKY'S

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 860 WILLIAM  
BUSINESS PHONE: (716) 563-8046  
COUNCIL DISTRICT: FI  
POLICE DISTRICT: 08  
APPLICANT NAME: SHARIF SAEED  
APPL. PHONE: (716) 563-6963  
APPLICATION NUMBER: 559415  
REFERRAL DATE: 08/13/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9/14/10

DISAPPROVED

DATE:

DISAPPROVAL  
CALL BACK

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

NO DEBT

INSPECTOR

PATRICK IRWIN

RM#

117

EXT

851-4395

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



# CITY OF BUFFALO - LICENSE APPLICATION

65 Niagara Sq. City Hall Room 301 Buffalo, NY 14202

Phone (716) 851-4078 Fax (716) 851-4952

All information on this form is public record. ☐ Mail ☐ Walk-in

Type of Entity: ☒ Sole Proprietor ☐ Corporation ☐ Partnership ☐ Limited Liability Company

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Restaurant 1-200 seats fee \$174.00 | <input type="checkbox"/> Restaurant Dance fee              | <input type="checkbox"/> Restaurant Take Out fee \$ 88.00 |
| <input type="checkbox"/> 201-400 seats \$250.00              | <input type="checkbox"/> Floor Show \$367.50               | <input checked="" type="checkbox"/> Food Store \$115.00   |
| <input type="checkbox"/> 400+ seats \$350.00                 | <input type="checkbox"/> Live Music \$210.00               | See additional questions.                                 |
| (on premise consumption of food and/or beverage)             | <input type="checkbox"/> Mechanical \$131.25               |   |
| <input type="checkbox"/> Certificate of Inspection \$56.00   |  | <input type="checkbox"/> Meat Fish Poultry \$150.00       |
| (Public Assembly) Restaurant 50+ seats                       | <input type="checkbox"/> Public Dance (based on sq ft)     | <input type="checkbox"/> Caterer \$ 88.00                 |
| <input type="checkbox"/> Coin Control Amusement              | <input type="checkbox"/> GoGo Dancing \$131.25             | <input type="checkbox"/> Bakery                           |
| # games ___ per game \$47.25                                 | <input type="checkbox"/> Skating Rink \$210.00             | <input type="checkbox"/> 0-2 employees \$ 63.00           |
| <input type="checkbox"/> Arcade # games ___ per game \$47.25 | <input type="checkbox"/> Bowling Alley per lane \$31.50    | <input type="checkbox"/> 3-10 employees \$105.00          |
| <input type="checkbox"/> Music mechanical \$52.50            | # lanes ___  | <input type="checkbox"/> 11-15 employees \$157.00         |
| <input type="checkbox"/> Music live, no dancing \$52.50      | <input type="checkbox"/> Billiard Parlor per table \$31.50 | <input type="checkbox"/> 26-50 employees \$315.00         |
| <input type="checkbox"/> News Stand \$63.00                  | # tables ___   | <input type="checkbox"/> 51-200 employees \$525.00        |

Corporation Name \_\_\_\_\_ Business Phone (716) 563-8046

Business Name (dba) LUCKY'S Business Fax ( ) \_\_\_\_\_

Business Address (no PO Box) 860 William St Buffalo, NY 14206

Mailing Address (if different) \_\_\_\_\_

NYS Tax ID # \_\_\_\_\_ Business Website \_\_\_\_\_ E-Mail \_\_\_\_\_

## Owner(s)/ Principal Partners

Applicant (last, first) SAEED, SHARIF Home Phone \_\_\_\_\_

Home Address: (PO Box not acceptable) 2814 S. Park Ave Lackawanna, NY 14218

Date of birth [REDACTED] Place of Birth Yemen

Co-Applicant (last, first) \_\_\_\_\_ Home Phone \_\_\_\_\_

Home Address: (PO Box not acceptable) \_\_\_\_\_

Date of birth \_\_\_\_\_ Place of Birth \_\_\_\_\_

Describe your specific business activity in detail. Sett Retail Grocery store

Subscribed and sworn to before me this 6 day of August 2010

NAGIA Awaas  
Commissioner of Development  
City of Buffalo, New York  
County of Erie

My Commission Expires June 26, 2011

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business.

Initial SS

I, an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

For office use only

T&A

Application No 559415

Date issued: \_\_\_\_\_

Print Name SHARIF SAEED

Signature [Signature] s \_\_\_\_\_ Date \_\_\_\_\_

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL  
DATE: December 28, 2010

00014

FROM: DEPARTMENT *Permits + Inspection Services*

SUBJECT:

[ "Amending Ch 511, Art XVI of City Code to create a  
Genesee-East Delavan Special Zoning District"  
[ "Amending City Code- "Private clubs" and General  
Merch.  
Stores" as Restricted Uses within the Clinton St. Special  
Zoning Distr."  
[ "Amending City Code- "Private Clubs" and "General  
Merch. Stores" as Restricted Uses within the Lovejoy St.  
Special Zoning Distr."

[:

PRIOR COUNCIL REFERENCE: (IF ANY) [ Item No. (#73 C.C.P. Dec. 14, 2010)  
(#74 C.C.P. Dec. 14, 2010)  
(#75 C.C.P. Dec. 14, 2010)

This correspondence is in response to the Common Council's request for comments concerning items # 73, 74 and 75 from the Legislation Committee of December 14, 2010 regarding "Special Zoning Districts, "Private clubs" and "General Merchandise Stores"

The Department of Permits & Inspection Services has the following comments with regards to the aforementioned communication filed by the Common Council Legislation Committee:

There are currently many "Special Zoning District" within the City of Buffalo and also many occupancies within those "Special Zoning Districts" requiring "Restricted Use" Permits to function within those districts. Should this Honorable Body enact additional "Special Districts" the Department of Permit & Inspection Services will enforce the Zoning Ordinances within these "Special Districts".

Current City of Buffalo Zoning Ordinances, specifically Chapter 511 "Zoning", Article II "Terminology", 511-4 "Definitions" define "Private Clubs" as "CLUB, PRIVATE -- A nonprofit social organization whose premises are restricted to its members and their guests".

Current City of Buffalo Zoning Ordinances do not specifically define "General Merchandise Stores" and therefore, all stores selling any type of goods, wares or merchandise would be treated as a "General Merchandise Store".

The Department of Permit & Inspection Services recommends that the terms "Private Club" and "General Merchandise Store" be defined or further defined in this proposed City of Buffalo Zoning Ordinance amendment in order for said ordinance to be authoritatively administrated and enforced.

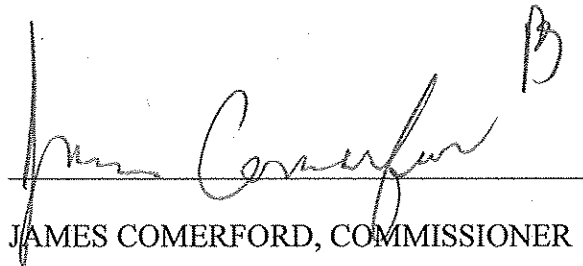
SIGNATURE *James Comerford Jr.*  
DEPARTMENT HEAD TITLE: Commissioner of Permit & Inspection Services

REFERRED TO THE COMMITTEE  
ON LEGISLATION.

13

**Communication to the Common Council****To: The Common Council:****Date: December 14, 2010****From: Department** Department of Permit & Inspection Services**Division** Office of Licenses**Subject:** **[ : Restaurant Dance Class IV**  
**[ : 3270 Main Street**  
**[ (new owner)****Prior Council Reference: (If any) [ :****Ext. Item No. xxx, C.C.P. xx/xx/xx:**

Pursuant to Chapter 150 of the City of Buffalo Ordinance please be advised that I have examined the attached application for a Restaurant Dance Class IV License located at **3270 Main Street**, dba **Checkers**, and find that as to form is correct. I have caused an investigation into the premises for which said application for a Restaurant Dance Class IV license is being sought and according to the attached reports from the Zoning Office, Fire Department and Building Inspections. I find it complies with all regulations and other applicable laws. I have caused an investigation by the Police Department into the moral character of Brian Schmid. This request is submitted for your approval or whatever action you deem appropriate.

**Signature of Department Head:**A handwritten signature in dark ink, appearing to read "James Comerford", is written over a horizontal line. To the right of the signature is a handwritten letter "B".**Department Head Name:** JAMES COMERFORD, COMMISSIONER

JC:cap

#1 (Rev. 01/1993)

**REFERRED TO THE COMMITTEE  
ON LEGISLATION.**

14

# CITY OF BUFFALO - LICENSE APPLICATION



65 Niagara Sq. City Hall Room 301 Buffalo, NY 14202  
Phone (716) 851-4078 Fax (716) 851-4952

All information on this form is public record.

☐ Mail ☒ Walk-in

Type of Entity: ☐ Sole Proprietor ☐ Corporation ☐ Partnership ☐ Limited Liability Company

☒ Restaurant fee  
1-200 seats \$174.00  
☐ 201-400 seats \$250.00  
☐ 400+ seats \$350.00  
(on premise consumption of food and/or beverage)

☒ Certificate of Inspection fee \$56.00  
(Public Assembly) Restaurant 50+ seats

☒ Coin Control Amusement fee \$44.52  
# games 2 per game \$47.25

☐ Arcade # games per game \$47.25

☐ Music mechanical \$52.50

☒ Music live, no dancing \$52.50

☐ News Stand \$63.00

☒ Restaurant Dance fee  
☐ Floor Show \$367.50  
☐ Live Music \$210.00  
☒ Mechanical TV \$131.25

☐ Public Dance (based on sq ft)

☐ GoGo Dancing \$131.25

☐ Skating Rink \$210.00

☐ Bowling Alley per lane \$31.50

# lanes

☐ Billiard Parlor per table \$31.50

# tables

☐ Restaurant Take Out \$88.00

☐ Food Store \$115.00  
See additional questions.

☐ Meat Fish Poultry \$150.00

☐ Caterer \$88.00

☐ Bakery

☐ 0-2 employees \$63.00

☐ 3-10 employees \$105.00

☐ 11-15 employees \$157.00

☐ 26-50 employees \$315.00

☐ 51-200 employees \$525.00

Corporation Name EASTHILL RACING INC.

Business Phone (716) 833-3270

Business Name (dba) P.S. BOTTOMS

Business Fax ( ) -

Business Address (no PO Box) 3270 MAIN STREET BUFFALO, NY 14214

Mailing Address (if different)

NYS Tax ID #27-3981434

Business Website

E-Mail EASTHILL RACING@HOTMAIL

Owner(s)/ Principal Partners

Applicant (last, first) SCHMID, BRIAN

Home Phone 716-523-9000

Home Address: (PO Box not acceptable) 7639 LOWER EAST HILL ROAD

GOLDEN 14033

Date of birth [REDACTED]

Place of Birth ERIE COUNTY

Co-Applicant (last, first)

Home Phone

Home Address: (PO Box not acceptable)

Date of birth

Place of Birth

Describe your specific business activity in detail. BAR/RESTAURANT

Subscribed and sworn to before me  
this 24 day of Nov 20 10

Catherine Perry  
Commissioner of Deeds in and for the  
City of Buffalo, New York

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business.  
Initial \_\_\_\_\_

As an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

For office use only

Application No 560394-RST

Date issued: 560395-COI

560397-LMU  
560398-CCA  
560399-RSD

Print Name BRIAN W. SCHMID

Signature [Signature]

Date 11/24/10



**CITY OF BUFFALO**  
**DEPARTMENT OF ECONOMIC DEVELOPMENT,**  
**PERMIT & INSPECTION SERVICES**

**OFFICE OF THE COMMISSIONER**



BYRON W. BROWN  
Mayor

JAMES COMERFORD, Jr.  
Deputy Commissioner

**Certificate of Compliance**

**Number 1861**

In accordance with the appropriate laws of the State of New York and or the ordinances of the City of Buffalo, the structures at 3270 MAIN Buffalo, New York, having been inspected and found to conform substantially to applicable laws, ordinances, rules or regulations, the portion identified on this certificate is hereby certified for occupancy. This compliance certificate is subject to the limitations specified herein and is valid until revoked unless automatically voided by this certificate being altered in any manner if there is any violation of a law or ordinance found to exist subsequent to the issuance of the certificate. I.e. continued compliance with applicable codes and ordinances is required.

  
**Director of Permits & Inspections**

**Date Issued: 11/24/2010**

**Building Classification: Type 3b ordinary unprotected**

**Occupancy: A-1**

**Building Permit(s) Number: 3539**

**Date Issued: 10/08/1986**

**Building Inspector: Wischniewski, David**

**Date of Inspection: 10/14/2010**

**Receipt Number: 19989**

**Portion of Building being inspected and certified: BAR AREA ONLY.**

## APPLICATION RELEASE FORM

BUFFALO POLICE  
DEPARTMENT

TO BE MAILED TO:

Buffalo Police Department  
Identification Section  
74 Franklin Street  
Buffalo, New York 14202

2010 NO 24 PM 1:01

BUFFALO NY ARREST HISTORY ONLY.  
DOES NOT CONTAIN OTHER AGENCY ARRESTS

There is a \$10.00 fee to process this data. By mail, payment **MUST** be made by money order. **DO NOT** send cash through the mail. In person, payment can be made by money order or cash. Checks are not accepted. Make money order payable to the Buffalo Police Department.

Be sure to include a stamped, self-addressed envelope so that this information can be mailed to you. Complete all the information listed below and have your identification and signature verified by a Notary Public (or) Commissioner of Deeds, as listed on the bottom of this application. Without total compliance to these instructions, you **WILL NOT** receive the requested information.

## ALL SIGNATURES MUST BE ORIGINAL

NAME OF APPLICANT: BRIAN W. SCHMID /MAIDEN NAME \_\_\_\_\_  
 SEX M RACE W  
 CURRENT ADDRESS: 1639 LOWER EAST HILL ROAD COLDEN, NY 14033  
 DATE OF BIRTH: [REDACTED]  
 SOCIAL SECURITY #: [REDACTED]  
 REASON FOR REQUEST \_\_\_\_\_

SIGNATURE OF APPLICANT [Signature]DATE 11/24/10

STATE OF NEW YORK )  
 COUNTY OF ERIE ) SS.  
 CITY OF BUFFALO )

BUFFALO, NY  
POLICE DEPT.  
NO RECORD

On the 24 day of November, 2010, before me personally appeared

Brian W Schmid, to me known to be the same person described in, and who executed the foregoing instrument and acknowledged the execution thereof.

[Signature]  
 Notary Public / Commissioner of Deeds

\*\*\*\*\* TO BE COMPLETED BY IDENTIFICATION SECTION PERSONNEL \*\*\*\*\*

☐ RECORD ATTACHED

☒ NO RECORD ON FILE
VERIFIED BY: [Signature]DATE VERIFIED 11/24/10

NOTE: USE OF THIS INFORMATION IS NOT BASED ON FINGERPRINT IDENTIFICATION. DO NOT RETAIN AFTER 60 DAYS FROM DATE VERIFIED. NOT VALID UNTIL STAMPED.

u: 560399

3270 Main St

49

**BUFFALO POLICE DEPARTMENT INTER-OFFICE MEMORANDUM**

**TO:** Chief Young / Captain David S. Stabler

**DISTRICT:** E District

**FROM:** Daniel Derenda  
Commissioner

**Date to District:** 11/29/2010

**RE: License Investigation**

**Year of License:** 2010

**Application #:** 560399

**Applicant's Name:** Brian Schmid

Business Phone: 833-6270      Appl Phone: 523-9000

**License Type:** Restaurant/Dance

**Name:** P.J. Bottoms

3270 Main

Please investigate and return to Headquarters - Room 212. The application should be received by date indicated below. Your cooperation regarding this investigation is greatly appreciated.

**Return date: 12/6/2010**

Monday, November 29, 2010 2:44:05 PM

---



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: P.J. BOTTOMS

LICENSE TYPE: RESTAURANT/DANCE

065

NEW LICENSE 2012

BUSINESS ADDRESS: 3270 MAIN  
BUSINESS PHONE: (716) 833-6270  
COUNCIL DISTRICT: UN  
POLICE DISTRICT: 17  
APPLICANT NAME: BRIAN SCHMID  
APPL. PHONE: (716) 523-9000  
APPLICATION NUMBER: 560399  
REFERRAL DATE: 11/24/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: \_\_\_\_\_

DISAPPROVED

DATE: \_\_\_\_\_

REMARKS: \_\_\_\_\_

DISTRICT CAPTAIN: Charles Stabler

APPROVED

DATE: 12/4/10

DISAPPROVED

DATE: \_\_\_\_\_

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW \*\*\*

REMARKS: \_\_\_\_\_

COMM. OF POLICE: Charles Tomaszewski

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 16**

**PASSED January 11, 2011**

Restaurant Dance License (Renewal)-2 Templeton(Fill)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:17

00016

Single Page Communication to the Common Council

To: The Common Council:

Date: September 30, 2010

From: Department: Department of Permit & Inspection Services

Division: Office of Licenses

Subject: [: Restaurant Dance License (Renewal)  
**2 Templeton**

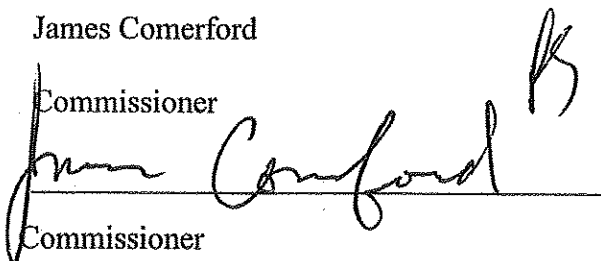
Prior Council Reference: (If any) [:  
Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Pursuant to Chapter 150 of the City of Buffalo Ordinances, please be advised that I have caused an investigation into the premises located at **2 Templeton** for which said renewal application for a Restaurant Dance Class III license is being sought by **John Tallichet @ Templeton Landing Restaurant** and according to the attached reports from the Fire Department, Police Department and Building Inspections, I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: James Comerford

Type Title: Commissioner

Signature of Department Head:

  
Commissioner

JC:cap

#1 (Rev. 01/1993)



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: TEMPLETON LANDING RESTAURANT

LICENSE TYPE: RESTAURANT/DANCE

RENEWED LICENSE 2011

BUSINESS ADDRESS: 2 TEMPLETON  
BUSINESS PHONE: 852-7337  
COUNCIL DISTRICT: FI  
POLICE DISTRICT: 00  
APPLICANT NAME: JOHN TALLICHET  
APPL. PHONE: 714-2796  
APPLICATION NUMBER: 538113  
REFERRAL DATE: 08/02/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 8-4-10

DISAPPROVED

DATE:

DISAPPROVAL  
CALL BACK

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

INSPECTOR

*[Signature]*

RM#

304

EXT

4382

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: TEMPLETON LANDING RESTAURANT

LICENSE TYPE: RESTAURANT/DANCE

RENEWED LICENSE 2011

BUSINESS ADDRESS: 2 TEMPLETON  
BUSINESS PHONE: 852-7337  
COUNCIL DISTRICT: FI  
POLICE DISTRICT: 00  
APPLICANT NAME: JOHN TALLICHET  
APPL. PHONE: 714-2796  
APPLICATION NUMBER: 538113  
REFERRAL DATE: 08/02/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9/28/10

DISAPPROVED

DATE: \_\_\_\_\_

DISAPPROVAL  
CALL BACK

DATE: \_\_\_\_\_

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS: \_\_\_\_\_

INSPECTOR [Signature]

RM# \_\_\_\_\_

EXT \_\_\_\_\_

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: TEMPLETON LANDING RESTAURANT

LICENSE TYPE: RESTAURANT/DANCE 065 RENEWED LICENSE 2011  
BUSINESS ADDRESS: 2 TEMPLETON  
BUSINESS PHONE: 852-7337  
COUNCIL DISTRICT: FI  
POLICE DISTRICT: 00  
APPLICANT NAME: JOHN TALLICHET  
APPL. PHONE: 714-2796  
APPLICATION NUMBER: 538113  
REFERRAL DATE: 08/02/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 8-10-10

DISAPPROVED

DATE:

REMARKS:

DISTRICT CAPTAIN: William P. BLAKE W.P. Blake

APPROVED DATE:

DISAPPROVED DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW \*\*\*

REMARKS:

COMM. OF POLICE:

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.

55

**BUFFALO POLICE DEPARTMENT INTER-OFFICE MEMORANDUM**

**TO** Captain M. Manzella / Captain William P. Blake

**DISTRICT:** B District

**FROM:** Daniel Derenda  
Interim Commissioner

**Date to District:** 8/6/2010

**RE: License Investigation**

**Year of License:** 2010

**Application #:** 538113

**Applicant's Name:** John Tallichet

Business Phone:	Appl Phone:
852-7337	714-2796

**License Type:** Restaurant/Dance

**Name:** Templeton Landing Restaurant

2 Templeton

Please investigate and return to Headquarters - Room 212. The application should be received by date indicated below. Your cooperation regarding this investigation is greatly appreciated.

**Return date: 8/13/2010**

Friday, August 06, 2010 9:44:53 AM

---

Mr. Fontana moved:

That the above communication from the Department of Permit and Inspection Services, dated September 30, 2010, be received and filed; and

That pursuant to Chapter 150 of the City Code, the Director of Permit and Inspection Services be, and he hereby is authorized to renew a Restaurant Dancing Class III License to John Tallichet d/b/a Templeton Landing Restaurant located at 2 Templeton.

Passed.



15

57

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

To: The Common Council:

Date: December 30, 2010

From: Department of Economic Development, Permit & Inspection ServicesDivision: Office of LicensesSubject: [: **Second Hand Dealer**  
[: **1673 Broadway (Lovejoy)**| Type in Upper and |  
| Lower Case Only |[:  
[:

Prior Council Reference: (If Any) [:

Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Text (Type Single Space Below):

Pursuant to Chapter 254 of the City of Buffalo Ordinances please be advised that I have examined the attached application for a **Second Hand Dealer License** located at **1673 Broadway** and find that as to form is correct. I have caused an investigation into the premises for which said application for a second hand dealer license is being sought and according to the attached reports from the Zoning Office, Fire Department and Building Inspections. I find it complies with all regulations and other applicable laws. I have caused an investigation by the Police Department into the moral character of Dave McNichol. The attached thereto for Dave McNichol d/b/a/SEI Aaron's. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: JAMES COMERFORD

Type Title: COMMISSIONER

Signature of Department Head:

REFERRED TO THE COMMITTEE  
ON LEGISLATION.

JC:PS:jd


# Interdepartmental Memo

**Date:** December 30, 2010  
**To:** James Comerford, Commissioner  
**From:** Patrick Sole Jr., Director of Permits & Inspection Services  
**RE:** Common Council Communication **Second Hand Dealer at 1673 Broadway**

---

Per City of Buffalo Ordinance Chapter 254, the following is a check list of requirements for **Second Hand Dealer License** application to the Common Council:

- ☒ Zoning Office
- ☒ Fire Prevention
- ☒ Building Inspection
- ☒ Police Department
- ☒ Police Record Check
- ☒ Application

  
\_\_\_\_\_  
Director Permit & Inspection Services

  
\_\_\_\_\_  
Date



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: SEI AARONS

LICENSE TYPE: SECOND HAND DEALER

NEW LICENSE 2011

BUSINESS ADDRESS: 1673 BROADWAY  
BUSINESS PHONE: (716) 893-0105  
COUNCIL DISTRICT: LO  
POLICE DISTRICT: 00  
APPLICANT NAME: DAVE MCNICHOL  
APPL. PHONE: (716) 345-6862  
APPLICATION NUMBER: 560234  
REFERRAL DATE: 11/08/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 11-9-10

DISAPPROVED

DATE:

DISAPPROVAL  
CALL BACK

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

INSPECTOR

*K. Fitzgerald*

RM#

304

EXT

9382

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: SEI AARONS

LICENSE TYPE: SECOND HAND DEALER

NEW LICENSE 2011

BUSINESS ADDRESS: 1673 BROADWAY  
BUSINESS PHONE: (716) 893-0105  
COUNCIL DISTRICT: LO  
POLICE DISTRICT: 00  
APPLICANT NAME: DAVE MCNICHOL  
APPL. PHONE: (716) 345-6862  
APPLICATION NUMBER: 560234  
REFERRAL DATE: 11/08/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 11-9-10

DISAPPROVED

DATE:

DISAPPROVAL  
CALL BACK

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

INSPECTOR

*[Signature]*

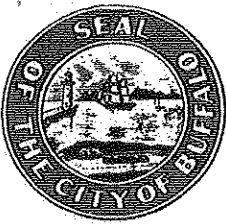
RM#

304

EXT

4382

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

*Alarm Rep*

*68*

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: SEI AARONS

LICENSE TYPE: SECOND HAND DEALER

NEW LICENSE 2011

BUSINESS ADDRESS: 1673 BROADWAY  
BUSINESS PHONE: (716) 893-0105  
COUNCIL DISTRICT: LO  
POLICE DISTRICT: 00  
APPLICANT NAME: DAVE MCNICHOL  
APPL. PHONE: (716) 345-6862  
APPLICATION NUMBER: 560234  
REFERRAL DATE: 11/08/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 12-27-10

DISAPPROVED

DATE: \_\_\_\_\_

DISAPPROVAL  
CALL BACK

DATE: \_\_\_\_\_

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS: \_\_\_\_\_

INSPECTOR *[Signature]* RM# \_\_\_\_\_ EXT \_\_\_\_\_

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: SEI AARONS

LICENSE TYPE: SECOND HAND DEALER 075 NEW LICENSE 2011  
BUSINESS ADDRESS: 1673 BROADWAY  
BUSINESS PHONE: (716) 893-0105  
COUNCIL DISTRICT: LO  
POLICE DISTRICT: 00  
APPLICANT NAME: DAVE MCNICHOL  
APPL. PHONE: (716) 345-6862  
APPLICATION NUMBER: 560234  
REFERRAL DATE: 11/08/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 11-11-10, MS

DISAPPROVED

DATE:

REMARKS:

DISTRICT CAPTAIN:

APPROVED

DATE:

DISAPPROVED

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW \*\*\*

REMARKS:

COMM. OF POLICE:

Charles Tomaszewski

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.

## APPLICATION RELEASE FORM

64  
57902

## TO BE MAILED TO:

Buffalo Police Department  
Identification Section  
74 Franklin Street  
Buffalo, New York 14202

There is a \$10.00 fee to process this data. By mail, payment **MUST** be made by money order. **DO NOT** send cash through the mail. In person, payment can be made by money order or cash. Checks are not accepted. Make money order payable to the Buffalo Police Department.

Be sure to include a stamped, self-addressed envelope so that this information can be mailed to you. Complete all the information listed below and have your identification and signature verified by a Notary Public (or) Commissioner of Deeds, as listed on the bottom of this application. Without total compliance to these instructions, you **WILL NOT** receive the requested information.

## ALL SIGNATURES MUST BE ORIGINAL

NAME OF APPLICANT: DAVID MCNICHOL /MAIDEN NAME \_\_\_\_\_  
SEX M RACE W  
CURRENT ADDRESS: 110 SPRING MEADOW DR apt #7 WILLIAMSVILLE NY 14221  
DATE OF BIRTH: \_\_\_\_\_  
SOCIAL SECURITY # \_\_\_\_\_  
REASON FOR REQUEST LICENSE FOR SECOND HAND DEALERS

SIGNATURE OF APPLICANT [Signature]DATE 11/2/10

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.  
CITY OF BUFFALO )

On the 2<sup>ND</sup> day of NOVEMBER, 192010, before me personally appeared

DAVID MCNICHOL, to me known to be the same person described in, and who executed the foregoing instrument and acknowledged the execution thereof.

[Signature] Commission Expires 12/31/2010  
Notary Public / Commissioner of Deeds

\*\*\*\*\* TO BE COMPLETED BY IDENTIFICATION SECTION PERSONNEL \*\*\*\*\*

☐ RECORD ATTACHED

☒ NO RECORD ON FILE

VERIFIED BY: [Signature]DATE VERIFIED 11/02/2010

NOTE: USE OF THIS INFORMATION IS NOT BASED ON FINGERPRINT IDENTIFICATION. DO NOT RETAIN AFTER 60 DAYS FROM DATE VERIFIED. **NOT VALID UNTIL STAMPED.**



# CITY OF BUFFALO

65 Niagara Sq. City Hall Room 301, Buffalo, NY 14202

Phone (716) 851-4078 Fax (716) 851-4952

#56234

All information on this form is public record

## BUSINESS LICENSE APPLICATION

☐ Used Car Dealer fee \$262.50

☒ Second Hand Dealer fee \$118.00

☐ Scrap Processor \$ 78.75

☐ Wholesale Junk Dealer \$262.50

☐ Tire Handler I fee \$118.00  
10 -1000 tires

☐ Tire Handler II fee \$262.50  
over 1000 tires; Include NYS Environmental  
Conservation Law Part 360; Storage plan and  
General Liability Insurance at least \$50,000  
both for personal injury and property damage,  
must contain 10 day cancellation clause with  
the certificate holder as City of Buffalo, Office  
of Licenses Room 301, Buffalo NY 14202

### Tire Storage Information

Inside Storage \_\_\_\_ yes \_\_\_\_ no

Outside Storage \_\_\_\_ yes \_\_\_\_ no

☐ Flee Market fee  
1-10 tables \$ 78.75  
11-25 tables \$155.00  
+26 tables \$210.00

Corporation Name

SEI

Business Phone (716) 893-0105

Business Name (dba)

Aaron's

Business Fax (716) 893-2806

Business Address (no PO Box)

1673 BROADWAY

14212

Mailing Address (if different)

[NYS Tax ID # 582162397

Business Website

E-Mail

### Owner(s)/ Principal Partners

Applicant (last, first)

McNichol, David

Home Phone 716-345-6862

Home Address: (PO Box not acceptable)

6115 Macintosh Ln. North Tonawanda, NY 14120

Date of birth

Place of Birth Philadelphia, Pa

Co-Applicant (last, first)

Home Phone

Home Address: (PO Box not acceptable)

Date of birth

Place of Birth

Describe your specific business activity in detail.

Rental of household goods. Sale and Lease to own with cash and carry options.

Subscribed and sworn to before me  
this 69 day of Nov 20 10

Catherine Perry  
Commissioner of Deeds in and for the  
City of Buffalo, New York

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business.

As an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

Print Name

DAVID MCNICHOL

Signature

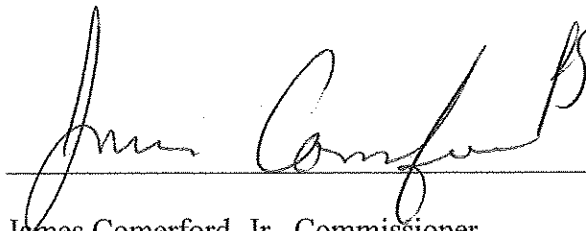
[Signature]

Date

11/4/10

**Communication to the Common Council****To: The Common Council:****Date: January 4, 2011****From: Department** Department of Permit & Inspection Services**Division** Office of Licenses**Subject:** [ Sidewalk Café  
189 Delaware Avenue  
[ New Owner**Prior Council Reference: (If any) [:****Ext. Item No. xxx, C.C.P. xx/xx/xx:**

Pursuant to Chapter 150 of the City of Buffalo Ordinance please be advised that I have examined the attached application for a Sidewalk Café License located at **189 Delaware Avenue** and find that as to form is correct. This Sidewalk Café had been previously approved by the Common Council. I find it complies with all regulations and other applicable laws. The attached application is thereto for **Kings Court Lounge**. This request is submitted for your approval or whatever action you deem appropriate.

**Signature of Department Head:****Department Head Name:**

James Comerford, Jr. Commissioner

JC:cap

#1 (Rev. 01/1993)

**REFERRED TO THE COMMITTEE  
ON LEGISLATION.**



# CITY OF BUFFALO

## PERMIT & INSPECTION SERVICES

### OFFICE OF LICENSES

65 Niagara Square 301 City Hall

Buffalo NY 14202

(716) 851-4078 / FAX (716) 851-4952



BRYON W. BROWN  
Mayor

JAMES COMERFORD, Jr.  
Commissioner

## APPLICATION for a SIDEWALK CAFÉ

Date 01-03-2011

Applicant Name Fouad Badawy

Phone 716 856 9262

Business Name Kings Court Lounge

Phone 716 390 7644

Business Address 189 Delaware Ave Buffalo  
street city state zip

### Requirements:

1. Applicant has a **Restaurant License**. (Restaurant License Number 558702) <sup>\$4</sup> 140.40
2. **General Liability Insurance**. Certificate holder must be the **City of Buffalo, City Hall, Office of Licenses Room 313, Buffalo NY 14202** as the **policy holder** with a **ten (10) day cancellation clause**. <sup>301</sup>
3. **Dimensions of the café** 9 x 12 **Number of tables**        **Number of chairs** 8
4. **Describe method of installing café boundaries** ( ex. wooden deck with railings, wrought iron railings, flower boxes with rope attached). Café may not be permanently affixed to the main building or the public sidewalk.  
Railing
5. **Provide a drawing of the proposed café**. Show the existing building, the area to be occupied by the café, and the area of public sidewalk remaining for pedestrian passage. A **minimum of four feet of uninterrupted public sidewalk** must exist after installation of the café. Use the reverse side if needed.

*New operator*

# 560636

Subscribed and sworn before me this

01 day of 03 20 11

Catherine A. Perry

Commissioner of Deeds in and for the City of Buffalo

Fouad Badawy  
Applicant Signature

[Signature]  
Signature of owner of building, if different than applicant



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: KINGS COURT LOUNGE

LICENSE TYPE: SIDEWALK CAFE

NEW LICENSE 2011

BUSINESS ADDRESS: 189 DELAWARE

BUSINESS PHONE: (716) 852-0055

COUNCIL DISTRICT: EL

POLICE DISTRICT: 03

APPLICANT NAME: FOUAD BADAWY

APPL. PHONE: (716) 675-1313

APPLICATION NUMBER: 560636

REFERRAL DATE:

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

SQUARE FOOTAGE

APPROVED

DISAPPROVED

DISAPPROVAL  
CALL BACK

DATE: 1/3/11

DATE:

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

INSPECTOR

RM#

301

EXT

4932

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 19**

**PASSED January 11, 2011**

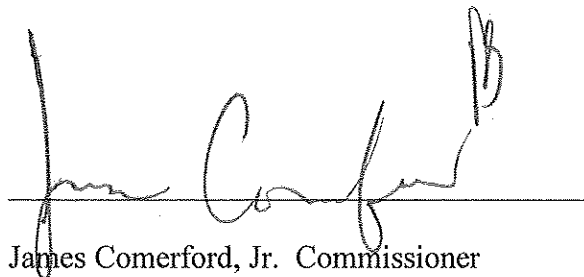
Sidewalk Café-1854 Hertel (Univ)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

**Communication to the Common Council****To: The Common Council:****Date: December 14, 2010****From: Department** Department of Permit & Inspection Services**Division** Office of Licenses**Subject:**  
[: Sidewalk Café  
[: 185<sup>th</sup> Hertel 185<sup>th</sup> Hertel  
[: New Owner (univ)**Prior Council Reference: (If any) [:****Ext. Item No. xxx, C.C.P. xx/xx/xx:**

Pursuant to Chapter 150 of the City of Buffalo Ordinance please be advised that I have examined the attached application for a Sidewalk Café License located at **185<sup>th</sup> Hertel Ave** and find that as to form is correct. This Sidewalk Café had been previously approved by the Common Council. I find it complies with all regulations and other applicable laws. The attached application is thereto for **Checkers**. This request is submitted for your approval or whatever action you deem appropriate.

**Signature of Department Head:****Department Head Name:**

James Comerford, Jr. Commissioner

JC:cap

#1 (Rev. 01/1993)



CITY OF BUFFALO  
OFFICE OF LICENSES

301 CITY HALL  
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: CHECKERS

LICENSE TYPE: SIDEWALK CAFE

NEW LICENSE 2011

BUSINESS ADDRESS: 1854 HERTEL  
BUSINESS PHONE: (716) 240-4440  
COUNCIL DISTRICT: UN  
POLICE DISTRICT: 00  
APPLICANT NAME: MICHELE HALEY  
APPL. PHONE: (716) 832-0513  
APPLICATION NUMBER: 560406  
REFERRAL DATE:

REMARKS: COC ISSUED

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

SQUARE FOOTAGE

APPROVED

DISAPPROVED

DISAPPROVAL  
CALL BACK

DATE: 12/15/10

DATE:

DATE:

\*\*\*REASON FOR DISAPPROVAL MUST BE STATED BELOW\*\*\*

REMARKS:

INSPECTOR

*[Signature]*

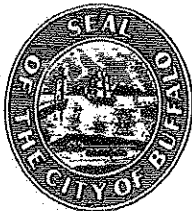
RM#

301

EXT

4932

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS  
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



# CITY OF BUFFALO

## PERMIT & INSPECTION SERVICES

### OFFICE OF LICENSES

65 Niagara Square 301 City Hall  
Buffalo NY 14202

(716) 851-4078 / FAX (716) 851-4952



BRYON W. BROWN  
Mayor

JAMES COMERFORD, Jr.  
Commissioner

## APPLICATION for a SIDEWALK CAFÉ

Date 11/24/10

Applicant Name Michele Haley

Phone 240-4440

Business Name M.L. Haley Inc DBA Checkers

Phone \_\_\_\_\_

Business Address 1854 Hertel Ave Buffalo NY 14216

street

city

state

zip

### Requirements:

1. Applicant has a **Restaurant License**. (Restaurant License Number 560402) \$228.80
2. **General Liability Insurance**. Certificate holder must be the City of Buffalo, City Hall, Office of Licenses Room 313, Buffalo NY 14202 as the **policy holder** with a **ten (10) day cancellation clause**.
3. Dimensions of the café 16x11 = 176 sq ft Number of tables \_\_\_\_\_ Number of chairs 12
4. Describe method of installing café boundaries (ex. wooden deck with railings, wrought iron railings, flower boxes with rope attached). Café may not be permanently affixed to the main building or the public sidewalk.  
Wrought iron railings
5. Provide a drawing of the proposed café. Show the existing building, the area to be occupied by the café, and the area of public sidewalk remaining for pedestrian passage. A **minimum of four feet of uninterrupted public sidewalk** must exist after installation of the café. Use the reverse side if needed.

Same as before

# 560406

Subscribed and sworn before me this

24 day of Nov 20 10

C. Perry  
Commissioner of Deeds in and for the City of Buffalo

Michele Haley  
Applicant Signature

Signature of owner of building, if different than applicant

18

Mr. Fontana moved:

That the above communication from the Department of Permit and Inspection Services dated December 14, 2010, be received and filed; and

That pursuant to Chapter 150 of the City Code, the Commissioner of Permit and Inspection Services be, and he hereby is authorized to issue a "Mere License" to Michele Haley, applicant, located at 185 Hertel Avenue d/b/a Checkers, to install a 16 x 11 = 176 sq. ft. sidewalk café with wrought iron railings, which would encroach city right-of-way at said address, subject to the conditions imposed by the Commissioner.

Passed.

18

TAB:rmv  
T:\wp60\msword\rmv\18cl-11a.doc



\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

74

FROM THE COMMISSIONER OF PARKING

January 11, 2011

W 75

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

December 29, 2010 JP

in the Department of

Parking

Division of

Parking Enforcement

to the Position of

Parking Meter Mechanic

Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one)

PERMANENT

Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one)

OPEN-COMPETITIVE

Minimum, Intermediate, Maximum, Flat, Hourly (Insert one)

MAXIMUM

(Enter Starting Salary) : Starting Salary of

\$ \$36,119

LAST JOB TITLE	<b>Parking Enforcement Officer</b>	NAME	<b>Francis Tronolone III</b>
LAST DEPARTMENT	<b>Parking</b>	ADDRESS	<b>159 Sterling Avenue</b>
LAST SALARY	<b>\$35,094</b>	CITY & ZIP	<b>Buffalo 14216</b>

LAST 4 DIGITS OF SSN. XXX-XX-2487

LAST JOB TITLE		NAME	
LAST DEPARTMENT		ADDRESS	
LAST SALARY		CITY & ZIP	

LAST 4 DIGITS OF SSN. XXX-XX-

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE	<b>11413001</b>	TITLE CODE NO	<b>5200</b>
BUDGET ACCT. OBJ.	<b>411001</b>	PERSONNEL REQ. NO	<b>2010-57</b>
SALARY RANGE OF POSITION	<b>\$32,602 - \$36,119</b>	PER YEAR DAY HOUR	<b>YEAR</b>

REASON FOR APPT. ABOVE THE MINIMUM: Local 264 requires at least a \$250.00 increase upon promotion..

NAME OF APPOINTING AUTHORITY:

Kevin J. Helfer

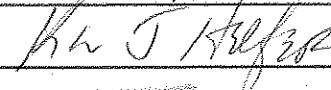
TITLE OF APPOINTING. AUTHORITY:

Commissioner of Parking

DATE:

December 17, 2010

SIGNATURE OF APPOINTING AUTHORITY:



ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET  
#6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

19

FROM THE CITY CLERK

January 11, 2011

00021

77

No.

Liquor License Applications

Attached hereto are communications from persons applying for liquor licenses from the Erie County Alcohol Beverage Control Board.

Address	Business Name	Owner's Name
69 W. Chippewa	Bottoms Up V, LLC	Bottoms UP V, LLC
75 W. Chippewa	Pure	NJ Metro Metro Medical Group, INC

RECEIVED AND FILED

January 11, 2011

20

78

STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

**NOTICE OF HEARING PURSUANT TO SECTION 64(7) OR 64-a(7)  
of the Alcoholic Beverage Control Law**

TO: Applicant and Residence Address	Community Board/Municipality:
Bottoms Up V, LLC 69 West Chippewa Street Buffalo, NY 14202	City of Buffalo Office of the City Clerk City Hall – Niagara Square Buffalo, NY 14202

PLEASE TAKE NOTICE that a hearing pursuant to Section 64 (7) or 64-a (7) of the Alcoholic Beverage Control Law, concerning a proposed premises which is located within a 500 foot radius of at least three (3) other licensed and operating on-premises liquor establishments, will be held on:

Date: 1/06/2011	10:00 am	Place of Hearing: NYS Liquor Authority Electric Tower Building 535 Washington St. Buffalo, NY 14203	Room:  303
--------------------	----------	--	------------------

An on-premises liquor license application was filed on 12/03/2010, with the State Liquor Authority for the following premises:

Applicant's Name:	Erie OP # 3149633 - Bottoms Up V, LLC
Premises Address:	69 West Chippewa Street Buffalo, NY 14202

Testimony will be taken from: the applicant and/or an authorized representative, an individual duly authorized to represent the community board or municipality in an official capacity, and any other qualified intervener.

Any speaker wishing to testify must be pre-registered no later than forty-eight (48) hours prior to the scheduled date and time of the hearing by calling the License Bureau at (716) 847 - 3060. Individuals who do not pre-register to speak will only be allowed to testify at the discretion of the hearing officer conducting the hearing. Written testimony submitted in lieu of oral testimony is preferred, and should be submitted in addition to oral majority of the members present and entitled to vote during the presence of a quorum. The hearing officer has the discretion to limit the time that individual speakers will have to testify.

Speakers will only be permitted to testify to issues of fact regarding the specific application at hand and must address the impact of the proposed premises in relation to the other licensed and operating on-premises liquor establishments within the 500' radius. Cumulative testimony will not be permitted.

**THERE WILL BE NO ADJOURNMENT OF THIS HEARING. ATTENDANCE IS REQUIRED.**

STATE LIQUOR AUTHORITY

DATE: December 22, 2010

BY:   
David L. Edmunds, Jr., Deputy Commissioner

79

**HELLERER, CUOMO & O'CONNOR**  
ATTORNEYS AT LAW

Neil N. Cuomo  
Of Counsel  
Richard D. O'Connor

Snyder Professional Center  
4536 Main Street  
Amherst, NY 14226-3828  
Tel (716) 839-4001  
Fax (716) 839-0964

Retired  
Robert J. Hellerer  
Frank N. Cuomo

January 3, 2011

*Sent via Certified Mail/ Return Receipt*

Buffalo City Clerk  
**attn. Liquor License**  
1308 City Hall  
Buffalo, NY 14202

**RE:** Devon Overly as agent of NJ Metro Medical Group, Inc.  
75 W. Chippewa Street, Buffalo, NY 14202  
Liquor License On-Premises Application

To whom it may concern:

Please be advised that I represent the above-referenced corporation, making application for State Liquor Authority On-Premises Liquor License, located at the above address.

This letter and Original Application Notice Form, enclosed herein, are sent to satisfy requirements as promulgated by the New York State Liquor Authority in accordance with the Alcohol, Beverage and Control Law.

Sincerely,



Neil N. Cuomo



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

Standardized **ORIGINAL APPLICATION NOTICE FORM** for Providing a  
**30-Day Advance Notice to a Local Municipality or Community Board**  
in connection with the submission to the State Liquor Authority of the  
**Applicant's Original (First) On-Premises Alcoholic Beverage License Application**  
for the Establishment Identified in this Notice (Page 1 of 2)

1.	Date the Original copy of this Notice was Mailed to the Local Municipality or Community Board:		0	1	0	3	2	0	1	1
THIS 30-DAY ADVANCE NOTICE IS BEING MAILED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD										
2.	Name of the Local Municipality or Community Board:		Buffalo City Clerk							
3.	Street Address of Local Municipality or Community Board:		1308 City Hall							
4.	City, Town, or Village:		Buffalo		NY		Zip Code: 14202			
5.	Telephone Number of Clerk of Local Municipality or Community Board:		7	1	6	-	8	5	1	- 5 4 3 1
ATTORNEY REPRESENTING THE APPLICANT IN CONNECTION WITH THE APPLICANT'S ORIGINAL (FIRST) ON-PREMISES ALCOHOLIC BEVERAGE LICENSE APPLICATION FOR THE ESTABLISHMENT IDENTIFIED IN THIS NOTICE										
6.	Attorney's Full Name is:		Neil N. Cuomo							
7.	Attorney's Street Address:		4536 Main Street							
8.	City, Town, or Village:		Amherst		N.Y.		Zip Code: 14226			
9.	Business Telephone Number of Attorney:		7	1	6	-	8	3	9	- 4 0 0 1
THE APPLICANT WILL FILE AN ORIGINAL (FIRST) APPLICATION FOR AN ON-PREMISES ALCOHOLIC BEVERAGE LICENSE IN ORDER TO CONDUCT - WITHIN THE IDENTIFIED ESTABLISHMENT - THE TYPE OF BUSINESS DESCRIBED BELOW										
10.	Type(s) of Alcohol to be sold under the License (*X* one):		<input type="checkbox"/> Beer Only <input type="checkbox"/> Wine and Beer Only <input checked="" type="checkbox"/> Liquor, Wine, and Beer							
11.	Extent of Food Service: (*X* one)		<input type="checkbox"/> Restaurant (Sale of Food Primarily; Full Food Menu; Kitchen run by Chef) <input type="checkbox"/> Tavern-Restaurant (A mixed-use establishment that has both a sit-down dining area and a "stand-up" bar where patrons may receive direct deliveries of alcohol) <input checked="" type="checkbox"/> Tavern / Cocktail Lounge / Adult Venue / Bar (Alcohol sales primarily - meets legal minimum food availability requirements)							
12.	Type of Establishment: (*X* all that apply)		<input type="checkbox"/> Hotel <input checked="" type="checkbox"/> Live Music <input checked="" type="checkbox"/> Disk Jockey <input type="checkbox"/> Juke Box <input type="checkbox"/> Patron Dancing (Small Scale) <input checked="" type="checkbox"/> Cabaret, Night Club, Discotheque (Large Scale Dance Club) <input checked="" type="checkbox"/> Capacity for 600 or more patrons							
13.	Proposed Outdoor Area(s):		<input type="checkbox"/> None <input type="checkbox"/> Rooftop <input checked="" type="checkbox"/> Patio or Deck <input type="checkbox"/> Freestanding Covered Structure <input type="checkbox"/> Garden / Grounds <input type="checkbox"/> Other (Specify):							
14.	Will the proposed License Holder or a Manager be physically present within the establishment during All Hours of Operation? (*X* one):		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
15.	Application Serial Number:									
16.	The Applicant's Full Name, as it will appear in the application for the On-Premises Alcoholic Beverage License, is:		NJ Metro Medical Group, Inc.							
17.	The Full Name of the Applicant's proposed licensed Establishment (the Trade Name under which the proposed Licensed Establishment will conduct business) is:		Pure							
18.	The Applicant's proposed Licensed Establishment is located within the building which has the following Street Address:		75 West Chippewa Street							
19.	City, Town, or Village:		Buffalo		NY		Zip Code: 14202			
20.	The proposed Licensed Establishment will be located on the following floor(s) of the building at the above address:		3 Floors							
21.	Within the building at the above address, the proposed Licensed Establishment will be located within the room(s) numbered as follows:									
22.	Business Telephone Number of the Applicant:		8	0	1	-	7	8	7	- 3 8 6 3
23.	Business Fax Number of the Applicant:									
24.	Business E-Mail Address of the Applicant:		devin@metaview.us							
25.	IF YOU KNOW - Was there ever an alcoholic beverage license in effect for the space where you intend to operate your licensed establishment?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I Don't Know <input type="checkbox"/>							
OWNER OF THE BUILDING IN WHICH THE PROPOSED LICENSED ESTABLISHMENT WILL BE LOCATED										
26.	Does the Applicant own the building in which the proposed Licensed Establishment will be located? (*X* one)		Yes <input type="checkbox"/> If "YES", SKIP items No. 27, 28, 29, & 30 Go directly to Item No. 31, and complete the form. No <input checked="" type="checkbox"/> If "NO", ANSWER items No. 27, 28, 29, & 30. Then continue to Item No. 31, and complete the form.							
27.	Building Owner's Full Name is:		Chippewa Development Inc.							
28.	Building Owner's Street Address:		75 West Chippewa Street							
29.	City, Town, or Village:		Buffalo		NY		Zip Code: 14202			
30.	Business Telephone Number of Building Owner:		7	1	6	-	8	5	3	- 5 5 5 5



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

Standardized **ORIGINAL APPLICATION NOTICE FORM** for Providing  
**30-Day Advance Notice to a Local Municipality or Community Board**  
in connection with the submission to the State Liquor Authority of the  
**Applicant's Original (First) On-Premises Alcoholic Beverage License Application**  
for the Establishment Identified in this Notice (Page 2 of 2)

IN ORDER TO MAKE SURE THAT PAGES 1 AND 2 OF YOUR NOTICE ARE NOT SEPARATED OR MISPLACED,  
PLEASE RE-ENTER IMMEDIATELY BELOW THE INFORMATION REGARDING YOUR APPLICATION SERIAL NUMBER, NAME, AND TRADE NAME.  
YOUR COURTESIES ARE APPRECIATED

15. Application Serial Number: \_\_\_\_\_  
16. The Applicant's Full Name, as it will appear in the application for the On-Premises Alcoholic Beverage License, is: **NJ Metro Medical Group, Inc.**  
17. The Full Name of the Applicant's proposed licensed Establishment (the Trade Name under which the proposed Licensed Establishment will conduct business) is: **Pure**

**INFORMATION REGARDING ANY BUSINESS LICENSED TO SELL ALCOHOLIC BEVERAGES THAT IS CURRENTLY BEING OPERATED IN THE SPACE**  
WHERE THE APPLICANT INTENDS TO OPERATE HIS/HER/ITS PROPOSED LICENSED ESTABLISHMENT

31. IF YOU KNOW - Is a business that is licensed to sell alcoholic beverages currently being conducted in the space where you intend to operate your licensed establishment? Yes ☒ No ☐ I Don't Know ☐  
32. Are you buying any asset(s) owned by the operator of the licensed business currently being conducted in the space where you intend to operate your licensed establishment? (For example: good will, equipment, furniture, cookware, dishware, etc.) Yes ☒ No ☐ I Don't Know ☐

IF YOU ANSWERED "YES" TO ITEM 31 or 32, SKIP ITEMS NO. 33 and 34. GO DIRECTLY TO ITEMS NO. 35, 36, 37, 38, 39, and 40.  
IF YOU ANSWERED "NO" TO ITEMS 31 and 32, PLEASE PROVIDE THE INFORMATION REQUESTED BY ITEMS NO. 33 and 34.

**IF A BUSINESS LICENSED TO SELL ALCOHOLIC BEVERAGES IS NOT CURRENTLY BEING OPERATED IN THE SPACE**  
WHERE THE APPLICANT INTENDS TO OPERATE HIS/HER/ITS PROPOSED LICENSED ESTABLISHMENT, PLEASE PROVIDE  
**INFORMATION REGARDING ANY BUSINESS LICENSED TO SELL ALCOHOLIC BEVERAGES THAT WAS MOST RECENTLY OPERATED IN THE SPACE**

33. IF YOU KNOW - Was a business that was licensed to sell alcoholic beverages previously conducted in the space where you intend to operate your licensed establishment? Yes ☒ No ☐ I Don't Know ☐  
34. Are you buying any asset(s) owned by the operator of the licensed business that was most recently conducted in the space where you intend to operate your licensed establishment? (For example: good will, equipment, furniture, cookware, dishware, etc.) Yes ☒ No ☐ I Don't Know ☐

IF YOU ANSWERED "YES" TO ITEM NO. 31 or 32 or 33 or 34, THEN PLEASE ANSWER ITEMS NO. 35 and 36 and 37 and 38 and 39.

**INFORMATION ABOUT THE OPERATOR OF THE LICENSED BUSINESS CURRENTLY BEING CONDUCTED (OR MOST RECENTLY CONDUCTED) IN THE SPACE**  
WHERE THE APPLICANT INTENDS TO OPERATE HIS/HER/ITS LICENSED ESTABLISHMENT. PLEASE PROVIDE THE FOLLOWING INFORMATION:

35. IF YOU KNOW - The Full Name of the Operator of the licensed business now being conducted (or that was most recently conducted) in the space where you intend to operate your licensed establishment: **Level Entertainment, LLC** I Don't Know ☐  
36. IF YOU KNOW - The Full Name of the licensed Establishment (the Trade Name) now being operated (or that was most recently operated) in the space where you intend to operate your licensed establishment: **Pure** I Don't Know ☐  
37. IF YOU KNOW - The alcoholic beverage license serial number of the business now being conducted (or that was most recently conducted) in the space where you intend to operate your licensed establishment: **3115372**  
**3115373** I Don't Know ☐  
38. IF YOU KNOW - The Type of Alcoholic Beverage License held by the current (or most recent) licensed operator: **On Premises Liquor** I Don't Know ☐  
39. IF YOU KNOW - Telephone Number of the current licensed operator or the most recent licensed operator: **7 1 6 - 8 5 3 - 5 5 5 5** I Don't Know ☐

40. If the Original Application is approved, I am the Person who will hold the License or I am a Principal of the Legal Entity that will hold the License. Representations in this form are in full conformity with representations made in documents that have been submitted (or documents that will be submitted) to the State Liquor Authority, and relied upon by the Authority. I understand that representations made in this form will be also relied upon by the Authority, and that false representations in any document submitted to the Authority may result in revocation of any license that may be issued. By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

Printed Name

**DEVIN OVERLY**

Title

**PRESIDENT**

Signature

**X**

No.

## Leaves of Absence Without Pay

I transmit herewith notifications received by me, reporting the granting of the leaves of absence without pay, in the various departments as listed:

Mayor/Mayor Executive-

Comptroller-

Common Council-

Assessment and Taxation-

Public Works, Streets & Parks-

x Police-      Tabitha Pitts

Fire-

Corporation Counsel-

Community Services-

Economic Development & Permit and Inspection Services-

Management Information Systems

Administration, Finance & Urban Affairs-

Human Resources-

Civil Service Commission-

RECEIVED AND FILED.

January 11, 2011

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL                      DATE: December 21, 2010  
FROM:                      DEPARTMENT: POLICE  
DIVISION: \_\_\_\_\_

SUBJECT: | : Unpaid Leave of Absence

| :  
| :  
| :

PRIOR COUNCIL REFERENCE: (IF ANY) | : Item No.

Ex. (Item No. xxx, C.C.P. xx/xx/xx)

TEXT: (TYPE SINGLE SPACE BELOW)

PO Tabitha Pitts, assigned to the E-District has been granted an extension to her medical leave of absence without pay for the period of 30 days commencing December 19, 2010 through January 17, 2011.

DD/tlo

TYPE DEPARTMENT HEAD NAME: Daniel Derenda

TYPE TITLE: Commissioner of Police

SIGNATURE OF DEPARTMENT HEAD: 

## LEAVE OF ABSENCE REQUEST FORM

DATE: 12/17/2010NAME: Tabitha R. PittsRANK: PO\*SSN: XXX-XX-0006UNIT: E-DIST

\*\*LAST FOUR (4) DIGITS ONLY\*\*

## TYPE OF LEAVE

EDUCATIONAL ☐  
EMPLOYMENT ☐  
FAMILY MEDICAL ☐MATERNITY ☐  
MEDICAL ☒  
MILITARY ☐  
PERSONAL ☐

- THE FAMILY MEDICAL LEAVE IS A 12 WEEK LEAVE FOR: CARE OF CHILD, SPOUSE, PARENT OR OWN MEDICAL HEALTH CONDITION (ADDITIONAL FORM REQUIRED)
- THE TAKING OF ANY LEAVE OF ABSENCE WILL RESULT IN THE LOSS OF THE PERFECT ATTENDANCE BENEFIT (PBA MEMBERS ONLY)
- SWORN MEMBERS REQUESTING A LEAVE OF ABSENCE IN EXCESS OF THIRTY (30) DAYS OR A CONSECUTIVE ACCUMULATION OF EXTENSIONS IN EXCESS OF THIRTY (30) DAYS; MUST SURRENDER THEIR DEPARTMENTAL WEAPON, RADIO, CAP SPRAY, BADGE, WREATH, & ID CARD PRIOR TO THE START OF THEIR LEAVE.

**FAILURE TO DO SO WILL RESULT IN THE REVOCATION OF THE LEAVE OF ABSENCE AND THE CARRYING OF THE MEMBER AS BEING AWOL**

## EXPLANATION OF LEAVE:

Request Extension on medical Leave due  
to right knee injury

## DATES OF LEAVE

BEGINNING DATE: 12-19-10END DATE: 01-17-11RETURN DATE: 01-18-11

LENGTH OF LEAVE: \_\_\_\_\_

Tabitha R. Pitts  
EMPLOYEE SIGNATURE

APPROVED / DENIED / APPROVAL CONDITIONED UPON SURRENDER OF DEPARTMENTAL EQUIPMENT

[Signature]  
POLICE INSPECTOR

12/20/10  
DATE

APPROVED / DENIED / APPROVAL CONDITIONED UPON SURRENDER OF DEPARTMENTAL EQUIPMENT

[Signature]  
POLICE COMMISSIONER

12/22/10  
DATE

CC: ORIGINAL – ADMINISTRATION AND FINANCE (FILE)  
LABOR RELATIONS  
COMMANDING OFFICER

REQUESTING EMPLOYEE  
CIVIL SERVICE COMMISSION  
PAYROLL

84

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **Januray 5, 2011**

in the Department of **Common Council**

Division of **South District**

to the Position of **Legislative Aide**

Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one) **UNCLASSIFIED**

Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one) **EXEMPT**

Minimum, Intermediate, Maximum, Flat, Hourly (Insert one) **FLAT**

(Enter Starting Salary) : Starting Salary of **\$ 36,242**

LAST JOB TITLE	NAME	<b>Matthew J Fisher</b>
LAST DEPARTMENT	ADDRESS	<b>111 Eden Street</b>
LAST SALARY	CITY & ZIP	<b>Buffalo 14220</b>
LAST 4 DIGITS OF SSN.		<b>XXX-XX-6585</b>

LAST JOB TITLE	NAME	
LAST DEPARTMENT	ADDRESS	
LAST SALARY	CITY & ZIP	
LAST 4 DIGITS OF SSN.		<b>XXX-XX-</b>

~~REFERRED TO THE COMMITTEE ON CIVIL SERVICE~~

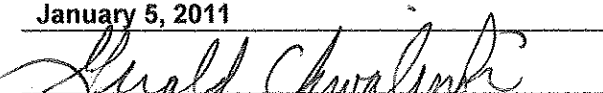
BUDGET ORG. CODE	<b>10112001-411001</b>	TITLE CODE NO	<b>2690</b>
BUDGET ACCT. OBJ.	PROJ. ID	PERSONNEL REQ. NO	<b>5133</b>
SALARY RANGE OF POSITION		PER YEAR DAY HOUR	<b>YEAR</b>

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY: **Gerald Chwalinski**

TITLE OF APPOINTING. AUTHORITY: **City Clerk**

DATE: **January 5, 2011**

SIGNATURE OF APPOINTING AUTHORITY: 

ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET  
#6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

**ADOPTED**

22

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

00024

87

No.

Appointments-Mayor's Youth Opportunity & Employment

I transmit herewith appointments made in the Mayor's Youth Opportunities and Employments Programs.

RECEIVED AND FILED.

January 11, 2011

23

88

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **DECEMBER 27, 2010**

in the Department of **EXECUTIVE**

Division of **MAYOR**

to the Position of **INTERN IX**

Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one) **UNCLASSIFIED**

Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one) **NON-COMPETITIVE**

Minimum, Intermediate, Maximum, Flat, Hourly (Insert one) **HOURLY**

(Enter Starting Salary) : Starting Salary of **\$ 11.87**

LAST JOB TITLE	NAME	<b>EKUA MENDS-AIDOO</b>
LAST DEPARTMENT	ADDRESS	<b>66 MINNESOTA AVENUE</b>
LAST SALARY	CITY & ZIP	<b>BUFFALO, NY 14214</b>
LAST 4 DIGITS OF SSN. XXX-XX-		

LAST JOB TITLE	NAME
LAST DEPARTMENT	ADDRESS
LAST SALARY	CITY & ZIP
LAST 4 DIGITS OF SSN. XXX-XX-	

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

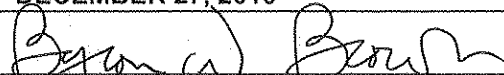
BUDGET ORG. CODE	<b>10301001</b>	TITLE CODE NO	<b>1778</b>
BUDGET ACCT. OBJ.	<b>412002</b> PROJ. ID	PERSONNEL REQ. NO	
SALARY RANGE OF POSITION		PER YEAR DAY HOUR	<b>HOUR</b>

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY: **BYRON W. BROWN**

TITLE OF APPOINTING. AUTHORITY: **MAYOR**

DATE: **DECEMBER 27, 2010**

SIGNATURE OF APPOINTING AUTHORITY: 

ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET

#6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

00025

89

No.

Notices of Appointments - Seasonal/Flat

I transmit herewith certificates received by me, reporting seasonal and flat salary appointments made in various departments.

RECEIVED AND FILED.

January 11, 2011

24

W 90

**Certificate of Appointment**

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

12/13/10

in the Department of

**Public Works**

Division of

**Streets**

to the Position of

**Laborer II**

Permanent, Provisional, Temporary, Seasonal (Insert one)

**SEASONAL**

Appointment, Promotion, Non-Competitive (Insert one)

**APPOINTMENT**

Minimum, Intermediate, Maximum, Flat (Insert one)

**FLAT**

(Enter Starting Salary) : Starting Salary of:

**\$11.87**LAST JOB TITLE **Motor Equipment Mechanic**LAST DEPARTMENT **DPW**DATE **12/10**

LAST SALARY

NAME

**Christopher Frankhauser**

ADDRESS

**237 North Drive**

CITY &amp; ZIP

**Buffalo, NY 14216**LAST 4 DIGITS OF SSN. **XXX-XX-3699**

LAST JOB TITLE

NAME

LAST DEPARTMENT

DATE

ADDRESS

LAST SALARY

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. **XXX-XX-**

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

**15030001**

TITLE CODE NO

**9624**

BUDGET ACCT. OBJ.

**412002** PROJ. ID

PERSONNEL REQ. NO

**2010-20**

SALARY RANGE OF POSITION

**\$11.87**

PER YEAR DAY HOUR

**HOUR**

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

**Steven J. Stepniak**

TITLE OF APPOINTING AUTHORITY:

**Commissioner**

DATE:

12/10/10

SIGNATURE OF APPOINTING AUTHORITY:

*William R. Heindel*

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET

#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **December 27, 2010**  
 in the Department of **Assessment and Taxation**  
 Division of  
 to the Position of **Clerk -- Seasonal**

Permanent, Provisional, Temporary, Seasonal (Insert one) **SEASONAL**  
 Appointment, Promotion, Non-Competitive (Insert one) **APPOINTMENT**  
 Minimum, Intermediate, Maximum, Flat (Insert one) **FLAT**

(Enter Starting Salary) : Starting Salary of: **\$11.87**

LAST JOB TITLE	<b>Clerk - Seasonal</b>	NAME	<b>Nakia R. Harris</b>
LAST DEPARTMENT	<b>Assessment/Taxation</b>	ADDRESS	<b>267 Berkshire Avenue</b>
LAST SALARY	<b>\$11.57/hour</b>	CITY & ZIP	<b>Buffalo NY 14214</b>
LAST 4 DIGITS OF SSN. <b>XXX-XX-5424</b>			

LAST JOB TITLE	DATE	NAME
LAST DEPARTMENT		ADDRESS
LAST SALARY		CITY & ZIP
LAST 4 DIGITS OF SSN. <b>XXX-XX-</b>		

## REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE	<b>10647001</b>	TITLE CODE NO	<b>0010</b>
BUDGET ACCT. OBJ.	<b>412002</b>	PERSONNEL REQ. NO	<b>2010-28</b>
SALARY RANGE OF POSITION	<b>\$11.87</b>	PER YEAR DAY HOUR	<b>HOUR</b>

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY: **Martin F. Kennedy**  
 TITLE OF APPOINTING AUTHORITY: **Commissioner**  
 DATE: **December 20, 2010**

SIGNATURE OF APPOINTING AUTHORITY: 

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)  
 OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET  
 #8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

V 98

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

1/3/11

in the Department of

Public Works

Division of

Parks

to the Position of

Laborer II

Permanent, Provisional, Temporary, Seasonal (Insert one)

SEASONAL

Appointment, Promotion, Non-Competitive (Insert one)

APPOINTMENT

Minimum, Intermediate, Maximum, Flat (Insert one)

FLAT

(Enter Starting Salary) : Starting Salary of:

\$11.87

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

Latonya Redden

79 Barnard St.

Buffalo, NY 14206

LAST 4 DIGITS OF SSN. XXX-XX-4468

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. XXX-XX-

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

14160001

BUDGET ACCT. OBJ.

412002 PROJ. ID

TITLE CODE NO

9624

SALARY RANGE OF POSITION

\$11.87

PERSONNEL REQ. NO

2010-59

PER YEAR DAY HOUR

DAY

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

Steven J. Stepniak

TITLE OF APPOINTING AUTHORITY:

Commissioner

DATE:

12/21/10

SIGNATURE OF APPOINTING AUTHORITY:

William R. Herold

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET

#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

2  
93

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

1/4/11

in the Department of

Public Works

Division of

Streets

to the Position of

Laborer II

Permanent, Provisional, Temporary, Seasonal (Insert one)

SEASONAL

Appointment, Promotion, Non-Competitive (Insert one)

APPOINTMENT

Minimum, Intermediate, Maximum, Flat (Insert one)

FLAT

(Enter Starting Salary) : Starting Salary of:

\$11.87

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

James Barner

866 Humboldt Pkwy.

Buffalo, NY 14211

LAST 4 DIGITS OF SSN. XXX-XX-4504

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. XXX-XX-

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

52002601

BUDGET ACCT. OBJ.

412002

PROJ. ID

TITLE CODE NO

9624

SALARY RANGE OF POSITION

\$11.87

PERSONNEL REQ. NO

2010-18

PER YEAR DAY HOUR

HOUR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

Steven J. Stepniak

TITLE OF APPOINTING AUTHORITY:

Commissioner

DATE:

12/8/10

SIGNATURE OF APPOINTING AUTHORITY:

William R. Heindel

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET

#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

00026

94

No.

Appointments - Temporary, Provisional or Permanent

I transmit herewith Appointments in the various departments made at the Minimum (Temporary, Provisional or Permanent) (as per contract requirements).

REFERRED TO THE COMMITTEE ON CIVIL SERVICE.

January 11, 2011

25

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **December 16, 2010**  
 in the Department of **Assessment and Taxation**  
 Division of  
 to the Position of **Real Property Appraiser**

Permanent, Provisional, Temporary, Seasonal (Insert one) **PERMANENT**  
 Appointment, Promotion, Non-Competitive (Insert one) **APPOINTMENT**  
 Minimum, Intermediate, Maximum, Flat (Insert one) **FIRST STEP**

(Enter Starting Salary) : Starting Salary of: **\$44,790**

LAST JOB TITLE	<b>Jr. Data Control Clerk</b>	NAME	<b>Bogusia Carroll</b>
LAST DEPARTMENT	<b>Assessment &amp; Tax</b>	ADDRESS	<b>571 Potomac Avenue</b>
LAST SALARY	<b>\$32,664</b>	CITY & ZIP	<b>Buffalo NY 14222</b>
LAST 4 DIGITS OF SSN. <b>XXX-XX-8056</b>			

LAST JOB TITLE	NAME
LAST DEPARTMENT	ADDRESS
LAST SALARY	CITY & ZIP
LAST 4 DIGITS OF SSN. <b>XXX-XX-</b>	

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE	<b>10647001</b>	TITLE CODE NO	<b>0695</b>
BUDGET ACCT. OBJ.	<b>412002 PROJ. ID</b>	PERSONNEL REQ. NO	<b>2010-95</b>
SALARY RANGE OF POSITION	<b>\$44,790 - \$50,398</b>	PER YEAR DAY HOUR	<b>YEAR</b>

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY: **Martin F. Kennedy**  
 TITLE OF APPOINTING. AUTHORITY: **Commissioner**  
 DATE: **December 16, 2010**

SIGNATURE OF APPOINTING AUTHORITY: *Martin F. Kennedy*

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)  
 OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET  
 #8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

December 29, 2010 (b2)

in the Department of

**Parking**

Division of

**Parking Enforcement**

to the Position of

**Parking Enforcement Officer**

Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one)

**PERMANENT**

Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one)

**OPEN-COMPETITIVE**

Minimum, Intermediate, Maximum, Flat, Hourly (Insert one)

**MINIMUM**

(Enter Starting Salary) : Starting Salary of

**\$ 22,070**

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

**David M. McMamara****193 Orlando Street****Buffalo, 14210**LAST 4 DIGITS OF SSN. **XXX-XX-3429**

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. **XXX-XX-**

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

**11413001**

BUDGET ACCT. OBJ.

**411001 PROJ. ID**

SALARY RANGE OF POSITION

**\$22,070 - \$35,094**

TITLE CODE NO

**5330**

PERSONNEL REQ. NO

**2010-53**

PER YEAR DAY HOUR

**YEAR**

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

**Kevin J. Helfer**

TITLE OF APPOINTING AUTHORITY:

**Commissioner of Parking**

DATE:

**December 17, 2010**

SIGNATURE OF APPOINTING AUTHORITY:



ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET

#6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

12/29/10

in the Department of

Public Works

Division of

Streets

to the Position of

Laborer II

Permanent, Provisional, Temporary, Seasonal (Insert one)

PERMANENT

Appointment, Promotion, Non-Competitive (Insert one)

APPOINTMENT

Minimum, Intermediate, Maximum, Flat (Insert one)

MINIMUM

(Enter Starting Salary) : Starting Salary of:

\$22,070

LAST JOB TITLE Laborer II Seasonal

LAST DEPARTMENT DPW

DATE 12/10

LAST SALARY \$11.87

NAME

Bernard Chaney

ADDRESS

265 Hazelwood Ave.

CITY &amp; ZIP

Buffalo, NY 14215

LAST 4 DIGITS OF SSN. XXX-XX-0684

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. XXX-XX-

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

52002601

BUDGET ACCT. OBJ.

411001 PROJ. ID

SALARY RANGE OF POSITION

\$22,070

TITLE CODE NO

9622

PERSONNEL REQ. NO

2010-97

PER YEAR DAY HOUR

YEAR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

Steven J. Stepniak

TITLE OF APPOINTING AUTHORITY:

Commissioner

DATE:

12/8/10

SIGNATURE OF APPOINTING AUTHORITY:

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)  
OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET  
#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

12/30/10

in the Department of

**Public Works**

Division of

**Streets**

to the Position of

**Laborer II**

Permanent, Provisional, Temporary, Seasonal (Insert one)

**PERMANENT**

Appointment, Promotion, Non-Competitive (Insert one)

**APPOINTMENT**

Minimum, Intermediate, Maximum, Flat (Insert one)

**MINIMUM**

(Enter Starting Salary) : Starting Salary of:

**\$22,070**LAST JOB TITLE **Laborer II Seasonal**LAST DEPARTMENT **DPW**LAST SALARY **\$11.87**DATE **12/10**

NAME

**Francisco Casillas**

ADDRESS

**195 Ross Ave.**

CITY &amp; ZIP

**Buffalo, NY 14207**LAST 4 DIGITS OF SSN. **XXX-XX-7959**

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. **XXX-XX-**

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

**52002601**

BUDGET ACCT. OBJ.

**411001** PROJ. ID

SALARY RANGE OF POSITION

**\$22,070**

TITLE CODE NO

**9622**

PERSONNEL REQ. NO

**2010-96**

PER YEAR DAY HOUR

**YEAR**

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

**Steven J. Stepniak**

TITLE OF APPOINTING AUTHORITY:

**Commissioner**

DATE:

12/8/10

SIGNATURE OF APPOINTING AUTHORITY:

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)  
 OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET  
 #8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **01/02/2011**  
in the Department of **Public Works, Parks & Streets**  
Division of **Buildings**  
to the Position of **Senior First Class Stationary Engineer**  
Permanent, Provisional, Temporary, Seasonal (Insert one) **TEMPORARY**  
Appointment, Promotion, Non-Competitive (Insert one) **APPOINTMENT**  
Minimum, Intermediate, Maximum, Flat (Insert one) **FLAT**

(Enter Starting Salary) : Starting Salary of: **\$15.00**

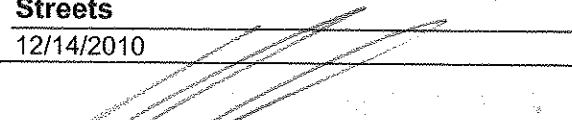
LAST JOB TITLE	<b>Sr. 1<sup>st</sup> CI Stationary Engineer</b>	NAME	<b>Kevin G. McCarthy</b>
LAST DEPARTMENT	<b>Buildings</b>	DATE	<b>11/07/10</b>
LAST SALARY	<b>\$15.00</b>	ADDRESS	<b>917 Abbott Road</b>
		CITY & ZIP	<b>Buffalo 14220</b>
LAST 4 DIGITS OF SSN. <b>XXX-XX-4859</b>			

LAST JOB TITLE		NAME	
LAST DEPARTMENT		ADDRESS	
LAST SALARY		CITY & ZIP	
LAST 4 DIGITS OF SSN. <b>XXX-XX-</b>			

## REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE	<b>13296001</b>	TITLE CODE NO	<b>832J</b>
BUDGET ACCT. OBJ.	<b>412002</b>	PERSONNEL REQ. NO	<b>2010-12</b>
SALARY RANGE OF POSITION	<b>\$15.00</b>	PER YEAR DAY HOUR	<b>HOUR</b>

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY: **Steven J. Stepniak**  
TITLE OF APPOINTING AUTHORITY: **Commissioner of Public Works, Parks & Streets**  
DATE: **12/14/2010**  
SIGNATURE OF APPOINTING AUTHORITY: 

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)  
OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET  
#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

# Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

January 3, 2011 (KJ)

in the Department of

**Parking**

Division of

**Parking Enforcement**

to the Position of

**Parking Enforcement Officer**

Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one)

**PERMANENT**

Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one)

**OPEN-COMPETITIVE**

Minimum, Intermediate, Maximum, Flat, Hourly (Insert one)

**MINIMUM**

(Enter Starting Salary) : Starting Salary of

**\$ 22,070**

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

**Emanuel Reid****470 East Amherst Street****Buffalo 15215-1425**

LAST 4 DIGITS OF SSN. XXX-XX-3875

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY &amp; ZIP

LAST 4 DIGITS OF SSN. XXX-XX-

## REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

**11413001**

BUDGET ACCT. OBJ.

**411001 PROJ. ID**

SALARY RANGE OF POSITION

**\$22,070 - \$35,094**

TITLE CODE NO

**5330**

PERSONNEL REQ. NO

**2010-53**

PER YEAR DAY HOUR

**YEAR**

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

**Kevin J. Helfer**

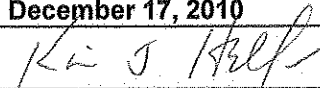
TITLE OF APPOINTING AUTHORITY:

**Commissioner of Parking**

DATE:

**December 17, 2010**

SIGNATURE OF APPOINTING AUTHORITY:



ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET  
#6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

NON-OFFICIAL COMMUNICATIONS, PETITIONS AND REMONSTRANCES

NON-OFFICIAL COMMUNICATIONS

00027

WATER LINE  
PROTECTION PROGRAM 102



AMERICAN WATER  
RESOURCES

Of New York

Dear Gerald Chwalinski:

This week, Buffalo homeowners will be mailed communication from American Water Resources of New York concerning their service line responsibilities referenced in Code of the City of Buffalo Section 491-21.

Most New York homeowners are unaware that they own the water line running through their property. Normal wear and tear can cause leaks or breaks to the water line and the homeowner is responsible for making the repairs. These repairs can cost thousands of dollars and are typically not covered by water utility companies or homeowners' insurance policies. To provide homeowners with an affordable means of protection from the expense and aggravation of water line repairs, American Water Resources (AWR) created the Water Line Protection Program in 2000.

For your convenience, below is key information regarding AWR in the event Buffalo homeowners have questions about the mailing.

- Subsidiary of American Water, the largest investor-owned water company in the country serving homeowners for 120 years
- Protects nearly 500,000 homeowners across the nation
- Accredited, A+ rated member of the Better Business Bureau
- Utilizes network of licensed, local New York contractors for all repairs
- Over 95% of NY homeowners protected by the Water Line Protection Program are very satisfied with the overall value of the program
- For frequently asked questions visit [www.amwaterresources.com/BufaloNY](http://www.amwaterresources.com/BufaloNY)

If you have additional questions about AWR or the Water Line Protection Program, please email me at [BarbaraB@amwater.com](mailto:BarbaraB@amwater.com) or call 856-359-2794.

Respectfully yours,

Barbara Boyarsky  
Vice President and General Manager  
American Water Resources  
1025 Laurel Oak Road  
Voorhees, NJ 08043  
856-359-2794

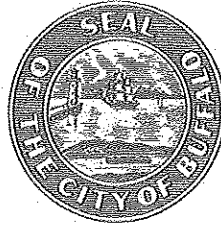
\* In New York, American Water Resources does business as American Water Resources of New York

REFERRED TO THE COMMITTEE  
ON FINANCE.

26

# The Buffalo Common Council

**MICHAEL P. KEARNS**  
SOUTH DISTRICT COUNCIL MEMBER  
65 NIAGARA SQUARE, 1401 CITY HALL  
BUFFALO, NY 14202-3318  
PHONE: (716) 851-5169 ♦ FAX: (716) 851-4294  
E-mail: mkearns@city-buffalo.com



103  
CHAIRMAN  
FINANCE  
TRANSPORTATION  
WATERFRONT DEVELOPMENT

COMMITTEES  
BUDGET  
BURA  
CIVIL SERVICE  
CLAIMS

LEGISLATIVE ASSISTANTS  
MARTHA-ANN MURPHY  
KELLY M. KRUG  
RUSSELL C. WEAVER

## MEMORANDUM

TO: Gerald Chwalinski  
FROM: Councilmember Kearns  
DATE: January 10, 2011  
RE: Article from Buffalo News School Board Elections

I would like to file the attached information for the next Common Council meeting to be held on January 11, 2011.

Thank you.

REFERRED TO THE SPECIAL  
COMMITTEE ON EDUCATION

"For the People"

ED

26A

R7

# Keep it open

## City School Board must select a new member based on ability

Seven people so far — a healthy number — have expressed interest in filling the Buffalo School Board seat vacated by Vivian O. Evans. So the East Side district will not suffer from lack of representation. In fact, its residents will be better served by a member who lives among them, not an absentee who jets back from her new home in Maryland to attend the occasional School Board session.

Perhaps the board members who were trying to protect Evans' incumbency were not concerned about her district's representation but about continuing the board majority that doubles as a rubber stamp to School Superintendent James A. Williams. Without Evans, Williams loses his sure thing. Sure Evans had moved to another state, but who knows how her replacement would vote? The next School Board election isn't until May 2013.

The remaining eight board members should select a new member based on experiences, abilities and judgment, not on a candidate's likelihood to join a certain bloc. But already there are discouraging signs. One of the palace guard, Williams' chief of staff James M. Kane, tried to conceal from public view the names of those residents who have applied. Kane muttered excuses to News reporter Mary Pasciak about having to first brief the full board, then he said something about doing his "due diligence," then about waiting a few days, and some more blah, blah, blah. Incredibly, Kane, judging by his comments at a recent School Board session,

also seems to think the board should interview the applicants in private, to spare them the discomfort of having to present opinions about public matters in a public setting.

For the record, the state's expert on New York's sunshine laws, Robert Freeman of the State Committee on Open Government, said the candidate interviews should be conducted in public, and their letters of interest should be subject to public disclosure. "In this instance, there is an obligation to disclose the names," Freeman said.

Of course there is; it's an *elative* office. But how could Williams, Kane and Co. not see this? We hope they aren't doing their own vetting and pulling strings for their favorite applicant — the one most likely to join their fold.

Pasciak did learn the identities of six of the seven. Among those interested is a retired city school district administrator, the president of the district parenting council, a minister wrongly diagnosed in the third grade as mentally retarded and later found to have above-average intelligence; a Buffalo State College professor who ran for the seat but lost to Evans by 15 votes; a 26-year-old product of the city school system who went on to Morehouse College in Atlanta and then Buffalo State; and a resident of the Broadway/Bailey neighborhood who could not be reached for his views.

The city needs board members who vote their conscience, are not concerned about joining a bloc and challenge the popular view. In other words, the board needs members with independent streaks. And yes, it needs members who live in their districts and have the good sense to leave the post should they move away. All told, that doesn't sound like too much to ask.

## The Buffalo Common Council

105

MICHAEL P. KEARNS  
SOUTH DISTRICT COUNCIL MEMBER  
65 NIAGARA SQUARE, 1401 CITY HALL  
BUFFALO, NY 14202-3318  
PHONE: (716) 851-5169 ♦ FAX: (716) 851-4294  
E-mail: mkearns@city-buffalo.com



CHAIRMAN  
FINANCE  
TRANSPORTATION  
WATERFRONT DEVELOPMENT

COMMITTEES  
BUDGET  
BURA  
CIVIL SERVICE  
CLAIMS

LEGISLATIVE ASSISTANTS  
MARTHA-ANN MURPHY  
KELLY M. KRUG  
RUSSELL C. WEAVER

## MEMORANDUM

TO: Gerald Chwalinski  
FROM: Councilmember Kearns  
DATE: January 11, 2011  
RE: Buffalo Police Annual Manpower Adjustment

I would like to file the attached information for the next Common Council meeting to be held on January 11, 2011.

Thank you.

REFERRED TO THE SPECIAL COMMITTEE  
ON POLICE OVERSIGHT

POL OVER

"For the People"

26 B  
RJ

12/07/2010 03:42 PM

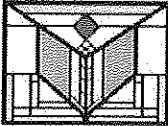
To [REDACTED]

cc [REDACTED]

bcc

Subject: Fw: Annual Manpower Adjustment

FYI



Dennis J Richards/BPD

12/07/2010 03:37 PM

To: Chiefs, John F McGrath/BPD@BuffaloPoliceDept, Thomas J Donovan/BPD@BuffaloPoliceDept, Daniel A Barrett/BPD@BuffaloPoliceDept, Steven M Turner/BPD@BuffaloPoliceDept

cc: Daniel Derenda/BPD@BuffaloPoliceDept, Byron C Lockwood/BPD@BuffaloPoliceDept, Charles H Tomaszewski/BPD@BuffaloPoliceDept

Subject: Annual Manpower Adjustment

Chief,

Effective 0001 hrs., on January 15th, 2011 All District Detective Sergeants and Detectives will be working a recognized day schedule - 10 hour days.

All Sergeants in the Districts will be working the following wheel A illustrated below:

The Sergeants schedule will be split between two Detectives wheels - in effect, the Sergeants first day will be day 3 of wheel "B" and day the Sergeants third working day will be day 1 of the wheel "C."

Example:

January			15	16	17	18	19	20	21	22	23	24
25	26	26	27	28	29	30	31	1	2			
Sgt (A)			X	WV	WV	WV	WV	X	X	X	X	WV
WV	WV	X	X	X	X	WV	WV	WV	WV			
Det (B)			WV	WV	WV	X	X	X	X	WV	WV	WV
X	X	X	WV	WV	WV	WV	X	X				X
Det (C)			X	X	X	WV	WV	WV	WV	X	X	X
X	WV	WV	WV	X	X	X	X	WV	WV			

Each District Sergeant will be working the same days each week as the other Sergeants; the rotation, commencing 1/15/11.

Each District Detective will pick their wheel, by seniority bid.

Please inform the affected personnel in your squad/unit and implement the changes.

Thanking you in advance for your kind cooperation in this important matter, I am

Respectfully,

12/07/2010 03:42 PM

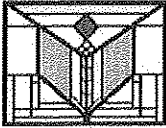
To [REDACTED]

cc [REDACTED]

bcc

Subject Fw: Annual Manpower Adjustment

FYI



Dennis J Richards/BPD

12/07/2010 03:37 PM

To Chiefs, John F McGrath/BPD@BuffaloPoliceDept, Thomas J Donovan/BPD@BuffaloPoliceDept, Daniel A Barrett/BPD@BuffaloPoliceDept, Steven M Turner/BPD@BuffaloPoliceDept

cc Daniel Derenda/BPD@BuffaloPoliceDept, Byron C Lockwood/BPD@BuffaloPoliceDept, Charles H Tomaszewski/BPD@BuffaloPoliceDept

Subject Annual Manpower Adjustment

Chief,

Effective 0001 hrs., on January 15th, 2011 All District Detective Sergeants and Detectives will be working a recognized day schedule - 10 hour days.

All Sergeants in the Districts will be working the following wheel A illustrated below:

The Sergeants schedule will be split between two Detectives wheels - in effect, the Sergeants first day will be day 3 of wheel "B" and day the Sergeants third working day will be day 1 of the wheel "C."

Example:

January	25	26	26	27	28	29	30	31	1	2	22	23	24
Sgt (A)				X	WV	WV	WV	WV	X	X	X	X	WV
WV	WV	X	X	X	X	X	WV	WV	WV	WV			
Det (B)		WV	WV	WV	X	X	X	X	X	WV	WV	WV	X
X	X	X	WV	WV	WV	WV	WV	X	X				
Det (C)			X	X	X	WV	WV	WV	WV	X	X	X	
X	WV	WV	WV	X	X	X	X	WV	WV				

Each District Sergeant will be working the same days each week as the other Sergeants; the rotation, commencing 1/15/11.

Each District Detective will pick their wheel, by seniority bid.

Please inform the affected personnel in your squad/unit and implement the changes.

Thanking you in advance for your kind cooperation in this important matter, I am

Respectfully,

00030

# The Buffalo Common Council

**MICHAEL P. KEARNS**  
SOUTH DISTRICT COUNCIL MEMBER  
65 NIAGARA SQUARE, 1401 CITY HALL  
BUFFALO, NY 14202-3318  
PHONE: (716) 851-5169 ♦ FAX: (716) 851-4294  
E-mail: mkearns@city-buffalo.com



CHAIRMAN

FINANCE  
TRANSPORTATION  
WATERFRONT DEVELOPMENT

COMMITTEES

BUDGET  
BURA  
CIVIL SERVICE  
CLAIMS

LEGISLATIVE ASSISTANTS

MARTHA-ANN MURPHY  
KELLY M. KRUG  
RUSSELL C. WEAVER

## MEMORANDUM

TO: Gerald Chwalinski

FROM: Councilmember Kearns

DATE: January 3, 2011

*REX* Letter to the Editor-Buffalo News

I would like to file the attached information for the next Common Council meeting to be held on January 11, 2011.

Thank you.

REFERRED TO THE COMMITTEE  
ON FINANCE.

*"For the People"*

27

## Mayor was wrong to veto sports complex for kids

Since when is it OK to direct political retribution at the children? As a member of the Little League that has almost 500 registrants located in South Buffalo, I find it absolutely appalling that the mayor is so vindictive that he would veto a sports complex in South Buffalo even though it is approximately two-thirds already paid for through grants and private donations.

I am a city employee who has gone without a raise for almost nine years. Meanwhile, the city has operated with a surplus for the seventh straight year. The money needed (about \$433,000) is a drop in the bucket compared to what you he has already saved off of the backs of blue-collar workers in this city.

The mayor and Common Council members across the board should put their political differences aside and do the right thing by throwing their support behind a proposal that would continue to develop places for the youth of this city to go other than the streets.

SCOTT HEYWOOD

*Buffalo*

00031

# The Buffalo Common Council

110

**MICHAEL P. KEARNS**  
SOUTH DISTRICT COUNCIL MEMBER  
65 NIAGARA SQUARE, 1401 CITY HALL  
BUFFALO, NY 14202-3318  
PHONE: (716) 851-5169 ♦ FAX: (716) 851-4294  
E-mail: mkearns@city-buffalo.com



CHAIRMAN  
FINANCE  
TRANSPORTATION  
WATERFRONT DEVELOPMENT

COMMITTEES  
BUDGET  
BURA  
CIVIL SERVICE  
CLAIMS

LEGISLATIVE ASSISTANTS  
MARTHA-ANN MURPHY  
KELLY M. KRUG  
RUSSELL C. WEAVER

## MEMORANDUM

TO: Gerald Chwalinski  
FROM: Councilmember Kearns  
DATE: January 6, 2011  
RE: Letter sent to Diamond Hurwitz Scrap, LLC

I would like to file the attached information for the next Common Council meeting to be held on January 11, 2011.

Thank you.

REFERRED TO THE COMMITTEE  
ON FINANCE.

*"For the People"*

28

# The Buffalo Common Council

**MICHAEL P. KEARNS**  
SOUTH DISTRICT COUNCIL MEMBER  
65 NIAGARA SQUARE, 1401 CITY HALL  
BUFFALO, NY 14202-3318  
PHONE: (716) 851-5169 ♦ FAX: (716) 851-4294  
E-mail: mkearns@city-buffalo.com



January 3, 2011

Diamond Hurwitz Scrap, LLC  
C/O Michael Diamond  
267 Marilla St.  
Buffalo, NY 14220

Dear Mike:

Thank you for taking time out of your busy schedule to meet with me and officials from NYS Senator Tim Kennedy's office regarding your company's possible future relocation plans. We have had numerous conversations and meetings over the last several years about the possibility of relocating your business to a new South Buffalo location, and I remain impressed by your candor and desire to grow your business in a way that benefits the community and is sensitive to the concerns of area residents.

Moving your scrap specialist company to an alternative South Buffalo location presents a win-win situation both for your company and the South Buffalo community. Diamond Hurwitz Scrap, LLC is important to the economic vitality of the immediate neighborhood, and the larger footprint of the alternative South Buffalo site that we have discussed would remove current impediments to expanding your physical operations and labor force.

In addition, this relocation would enhance the vision for this area of South Buffalo developed pursuant to the South Buffalo Brownfield Opportunity (BOA) area in 2007, when consultants were retained on environmental, land use and economic development issues to provide an in-depth analysis and master plan for this strategically located, but largely underutilized, part of our City.

Expanding and relocating Diamond Hurwitz Scrap, LLC to a new site in South Buffalo could be transformational, in that it provides an opportunity to potentially integrate your current location into both the BOA master plan and the Olmsted Parks System's Plan for the 21<sup>st</sup> Century, while supporting your company's desire for a new site that can accommodate potential future growth.

I appreciate your continued investment in South Buffalo, and look forward to continued discussions on how the City can help facilitate a move to a new site which both meets your company's goals and ensures the redevelopment of your existing site in a way that will enhance the South Buffalo community.

## CHAIRMAN

FINANCE  
TRANSPORTATION  
WATERFRONT DEVELOPMENT

## COMMITTEES

BUDGET  
BURA  
CIVIL SERVICE  
CLAIMS

## LEGISLATIVE ASSISTANTS

MARTHA-ANN MURPHY  
KELLY M. KRUG  
RUSSELL C. WEAVER

*"For the People"*

Sincerely,



Michael P. Kearns  
South District Council Member

Cc: US Congressman Brian Higgins  
NYS Senator Tim Kennedy  
NYS Assemblyman Mark Schroeder  
Erie County Legislator Timothy Whalen  
Mayor Byron Brown  
Common Council Members  
Buffalo Legacy Project, LLC  
South Buffalo Residents

# The Buffalo Common Council

**MICHAEL P. KEARNS**  
SOUTH DISTRICT COUNCIL MEMBER  
65 NIAGARA SQUARE, 1401 CITY HALL  
BUFFALO, NY 14202-3318  
PHONE: (716) 851-5169 ♦ FAX: (716) 851-4294  
E-mail: mkearns@city-buffalo.com



113  
CHAIRMAN  
FINANCE  
TRANSPORTATION  
WATERFRONT DEVELOPMENT

COMMITTEES  
BUDGET  
BURA  
CIVIL SERVICE  
CLAIMS

LEGISLATIVE ASSISTANTS  
MARTHA-ANN MURPHY  
KELLY M. KRUG  
RUSSELL C. WEAVER

## MEMORANDUM

TO: Gerald Chwalinski  
FROM: Councilmember Kearns  
DATE: January 4, 2011  
RE: *AC* Nevilly Court RFP

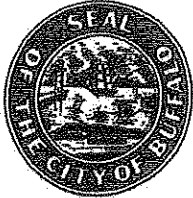
I would like to file the attached information for the next Common Council meeting to be held on January 11, 2011.

Thank you.

REFERRED TO THE COMMITTEE  
ON FINANCE.

*29*  
"For the People"

①



**CITY OF BUFFALO**  
**DEPARTMENT OF**  
**PUBLIC WORKS, PARKS & STREETS**



BYRON W. BROWN  
MAYOR

STEVEN J. STEPNIAK  
COMMISSIONER

PETER J. MERLO, P.E.  
CITY ENGINEER

December 13, 2010

SEE ATTACHED LIST

**Re: Request for Proposals**  
**Design & Construction Administration Services for**  
**South Buffalo Legacy Park & Center: Phase I and SEQRA for Phase II Development of**  
**Community Center**

Gentleman,

The Common Council of the City of Buffalo has established a comprehensive plan to develop a vacant parcel of land into a combination Park, Athletic Field and Sports Center in South Buffalo. As part of that plan, the Department of Public Works, Parks and Streets is requesting proposals for Professional Services to prepare bidding documents and provide construction oversight for the Phase I portion of the work, as well as to assist in the development of plans and data for the State Environmental Quality Review Act (SEQRA) review for Phase II of the project, which calls for the potential construction of an approximately 30,000 square foot athletic facility (hereinafter "Triple Gym"). As both Phase I and Phase II of the project will utilize the same SEQRA review, the chosen consultant will be required to plan and design alternative building designs for the Triple Gym and athletic fields with the stated purpose of mitigating potential adverse environmental impacts and providing data for the preparation of a Draft Generic Environmental Impact Statement (DGEIS) to be considered by the Common Council, which will seek Lead Agency status for the project due to its future approval of a management agreement for the maintenance of the facilities.

Sealed proposals will be received until **3:00 PM, Eastern Standard Time on January 12, 2011** in the Office of the Commissioner, Room 502, City Hall, 65 Niagara Square, Buffalo, New York 14202-3305. Proposals received after this time will not be accepted.

A Pre-Submittal Meeting will be held on **December 29, 2010 at 10:00 AM** local time, at the Buffalo City Hall, Room 616 located at 65 Niagara Square. At that time, the requirements of the Request for Proposals will be reviewed and any questions regarding the proposals and work to be done will be answered. A site visit may follow or be scheduled after the meeting.

## SCOPE OF WORK

In general, the selected Consultant shall provide professional environmental, architectural and engineering analyses and design. Consulting services shall be phased as described below. Professional services are expected to be sequential; therefore, work on each phase shall not start until the City provides the Consultant written direction to do so. The selected consultant shall provide all design, bidding, assistance and construction management for Phase I of the Buffalo Legacy Complex and preliminary designs and alternatives for Phase II of the Legacy Complex to be used exclusively as part of a Draft Generic Environmental Impact Statement to study the potentially significant adverse environmental impacts of Phase II of the project to be studied in conjunction with the SEQRA review of Phase I of the project. The preliminary designs of the Phase II build-out will be used to study the potential impacts of Phase II to avoid any appearance that the Phases of the Project were improperly segmented into separate environmental reviews.

Background: The City currently holds the ownership of a parcel of land bounded by Marilla Street, rear of the property line of the structures on Zollars Street, RR Right-of-Way and salvage yard. The site is to be developed into a recreational area. The Phase I portion of the project calls for:

- Site investigation and update of existing Phase I Environmental Investigation; (if required) perform Phase II Environmental investigations as needed.
- Site design, including but not limited to clearing and landscaping. Space is to be designed so that following phases can be completed without disruption of already completed work; this would consist of a sports/community building and additional parking/landscaping. It should be noted that preliminary design sketches of said sports/community building or Triple Gym should be prepared by chosen consultant with alternative designs and locations as part of the Environmental Review of Phase I, so that a Draft Generic Environmental Impact Statement can be prepared and utilized for both Phases I and II of the project.
- Installation of site utilities; including but not limited to water (including site sprinkler system), sewer, gas, communications and electric utilities.
- Design and Construction of the Phase I Field House(s) providing: Locker rooms, rest rooms, storage and food preparation/sales, as well as mechanical spaces for electrical load centers and sprinkler controls, etc. It should be noted that detailed interior drawings of the Phase II sports/community center or triple gym will not be required as part of the scope of services for this RFP, as only the outer design, scale and placement of said building will be reviewed as part of the SEQRA review and in the preparation of a Draft Generic Environmental Impact Statement.
- Road design/Construction.
- Field and site lighting.

The Consultant shall be responsible to inspect the site with respect to space limitations and utilities available, including but not limited to: power, water service and sewer. The Consultant shall also consult with the City Engineer or his designee as to usage and desirable features. The Consultant shall then prepare all plans and specifications, as needed, including, if required, separate bid packages

116  
to comply with the NYS Wick's Law for the Construction of Phase I facilities; including but not limited to, original documents, pre-bid meetings and preparation of addenda as required.

The Consultant shall assist the City of Buffalo DPW/P&S with bid evaluation. Additionally, the Consultant shall act as the Construction Manager for Phase I of the Project. At the conclusion of the warranty period, the Consultant shall provide services for warranty close out.

Prospective Firms should read the details of various phase requirements herein attached below.

#### TASK 1. CONDITION ASSESSMENT SURVEY

- 1.1 Perform a full condition assessment survey of the site, including update of the existing Phase I and limited Phase 2 environmental survey, attached hereto as Appendix A. If during the review/update, it becomes necessary to do additional Phase II work, the Consultant shall be required to prepare a plan/requirements for the bidding of said work.
- 1.2 Identify all deficient conditions.
- 1.3 Prepare and draft a report of the findings from the condition assessment survey. Include a cost estimate for the work identified.
- 1.4 Submit the draft report, survey and drawings of the existing site to the City for review.
- 1.5 Meet with the City to review their comments and prepare the final construction scope of work.
- 1.6 Prepare a final report incorporating the City's comments. This shall include an updated cost estimate.

#### TASK 2. Preliminary Design

- 2.1 The Consultant shall attend a minimum of two (2) meetings at City Hall or other locations to be designated within the City of Buffalo, NY to present and discuss the preliminary designs with the DPW/PS and other interested parties as invited by the Commissioner. Comments from all attendees shall be incorporated into the final design.
- 2.2 Prepare a Memorandum of Understanding to confirm the program requirements.
- 2.3 Prepare designs, sketches, memoranda and other such media as necessary to represent the design concepts to the DPW and other stakeholders. Based on the approved program, create up to three (3) schematic designs to incorporate the program, which shall include general placement of the athletic building and general exterior design thereof for inclusion into environmental review of both Phases 1 and 2 of the Project. With respect to the construction of the Athletic Facility/Triple Gym portion of Phase 2, no cost estimates or detailed drawings need be supplied, but only sufficient detail to study the potentially significant adverse environmental impacts thereof as part of the environmental review of Phase 1.
- 2.4 Prepare a preliminary itemized cost estimate of the proposed work (Phase 1 only) at the beginning of the Schematic/Design Facility Phase for DPW evaluation.

- 117
- 2.5 Prepare a detailed itemized cost estimate for DPW review at the completion of the Schematic/Design Facility Phase.
  - 2.6 Attend all required design meetings with the DPW, record accurate minutes and distribute same to all parties within five (5) calendar days after the meeting date.
  - 2.7 Submit samples, manufacturer data sheets, etc., of all proposed materials for DPW review.
  - 2.8 Prepare a minimum of six [6] sets of any progress sketches, drawings, or details as required for DPW review.
  - 2.9 Prepare six complete sets of all final Schematic/Design Facility Phase drawings, outline specifications and/or reports for DPW review and approval.
  - 2.10 Review related documents (job number and description), if needed to eliminate duplication of work.
  - 2.11 Obtain and study all statistical or research information relative to potential adverse environmental impacts as required by the State Environmental Quality Review Act, including, but not limited to, traffic counts for the surrounding area, projected increased traffic through the build-out of the project, short term construction impacts, potential impacts on groundwater retention or drainage, impact on the built environment surrounding the development, impact on the 100 and/or 500 year floodplain, aesthetic impacts, energy usage impacts, potential impacts on surrounding similar facilities, impact on character of the neighborhood and measures that can be utilized to mitigate any discovered potentially significant adverse environmental impacts.

**TASK 3. DETAILED DESIGN** [Please note that no further detail of Phase 2 Athletic Facility/Triple Gym shall be included in the tasks that follow.]

- 3.1 Design coordination meetings with the owner as necessary, record accurate minutes and distribute same to all parties within five [5] calendar days after the meeting date.
- 3.2 Site visits as required to review and verify field conditions.
- 3.3 Based on the City approved Condition Survey and Preliminary Design, the Consultant shall prepare the Design Development documents. These shall consist of drawings and other documents that establish and describe the size and character of the project as to site/civil work, architectural, structural, mechanical and electrical systems, materials and such other elements as may be appropriate (where required types and amounts of Hazardous Materials to be removed or otherwise are addressed).
- 3.4 Obtaining all necessary approvals including, but not limited to: Zoning Board of Appeals, Planning Board and Permit Office.
- 3.5 Construction documents shall be submitted for review and approval at 50% and 90% of completion.
- 3.6 Preparation of cost estimates at the 50%, 90% and 100% of contract document completion.

- 118
- 3.7 Construction documents shall be formatted as multiple trade contracts, where required by law.
  - 3.8 All documents shall be prepared in the CSI Divisional Format. {N.B.} The City will provide the boiler plate and Division 1 documents.
  - 3.9 Printing of up to thirty (30) sets of the final approved construction documents for bidding and construction.
  - 3.10 Provide an estimated length of construction table to assist the City in scheduling activities.
  - 3.11 As required by Chapter 17 of the New York State Building Code, the Consultant shall prepare the Statement of Special Inspections and shall modify it as necessary to obtain the Code Enforcement Officer's approval.
  - 3.12 All documents issued for bidding and construction purposes shall bear the seal and signature of the professionally licensed architect/engineer responsible for the project.
  - 3.13 Provide electronic AutoCad drawings of all construction documents developed for the project.

#### TASK 4 – Bidding

- 4.1 Distribute drawings to prospective bidders. Keep an updated list of all plan holders, including contact person, address, and phone and fax numbers.
- 4.2 Run a pre-bid meeting to describe the project and receive contractor input. Write meeting minutes and distribute as part of an addendum.
- 4.3 Prepare, and distribute to all plan holders, addenda to answer contractor questions and, as necessary, to clarify the contract documents.
- 4.4 Attend the bid opening and provide blank bid tabulation forms.
- 4.5 Review the bids, check for discrepancies and verify relevant contractor experience. Document findings and recommend which bidder is, in the selected firm's opinion, the lowest responsible bidder.
- 4.6 Make changes or revisions to the contract documents as may be required as a result of bidding cost overruns in excess of five percent [5%] of budget or consultant's estimate and supply additional copies, at Consultant's expense, of revised documents and drawings as necessary for re-bidding; all amendments must be incorporated into their proper location within either the plans and/or specifications.

#### TASK 5 – CONSTRUCTION ADMINISTRATION AND MONITORING

- 5.1 Provide general administration of construction contracts through periodic visits to the Project Site and inspections by the Consultant and members of his/her staff. All persons engaged or employed on inspections shall be subject to the approval of the Commissioner of Public Works, Parks and Streets. The inspection shall be such as to give proper direction on behalf of the City to the

119

Contractors and to observe compliance with all contract requirements. This shall include inspection and the execution of the work and the materials and equipment installed by the contractors to the end that the project will be completed strictly in accordance with the plans and specifications. The Consultant will not be responsible for the construction methods, techniques, or procedures, or any safety procedures incidental thereto.

- 5.2 Provide all testing, inspection, reporting and certifications required by the approved Statement of Special Inspections (Special Inspections Program) and by Chapter 17 of the New York State Building Code. The cost for special inspection shall be negotiated when the scope has been determined. The price quoted for this phase in your firm's proposal shall not include the cost of special inspection.
- 5.3 Interpret the plans and specifications and contract documents, and decide all other questions in connection with the preparation for the commencement of the work.
- 5.4 Review and approve the contractor's schedule of shop drawings required to be submitted.
- 5.5 Review and approve the progress schedules prepared by the contractors for the project; the schedules shall show coordination of the work of the various contractors and subcontractors.
- 5.6 Check all shop and other working drawings of reinforcements, structural steel and other items intended to become a part of the project; examine the drawings submitted by all contractors; check construction drawings with all shop drawings, interpret the plans and specifications and determine any conflicts therein; furnish additional instructions and, when necessary, clarification drawings to carry out the work; issue such clarifying details as may be required to achieve conformance with the contract drawings and specifications; prepare, analyze and recommend to the Commissioner of Public Works, Parks and Streets, change orders and all modifications of the plans and specifications as may be necessary as the work progresses, and check the fairness of additional costs or credits to be charged or allowed in connection with such changes.
- 5.7 Members of the Consultant's staff shall make periodic visits at least once a week to each of the project sites and/or as needed as determined by the City and submit an inspection report to the DPW within five [5] calendar days of each visit, also notifying the DPW and contractor, in writing, of apparent problems and inconsistencies, and make written recommendation immediately to the DPW of such corrective actions as may be required. Consultant project visitation team must include a registered architect and/or licensed engineer involved in the project design if applicable, during any abatement work for lead and/or asbestos and/or Hazardous Materials, the project designer shall be part of the team during abatement activities.
- 5.8 The Consultant shall be available on an as-needed basis should problems and/or questions arise during the construction contract, and shall render all opinions and recommendations in a timely manner so as to not impede, hinder or otherwise delay the work of the contractor.
- 5.9 Determine the amount, quality, acceptability and fitness of all parts of the work, and check and recommend for approval all partial estimates for payment by the contractors.
- 5.10 Keep complete project records of progress, shop drawings, payments, contractors' invoices, tests, and other pertinent information.

- 120
- 5.11 Conduct the preconstruction meeting(s) with the successful bidder(s), record accurate minutes and distribute the same to all parties within five [5] calendar days after the meeting date.
  - 5.12 Assist in the coordination of the work of the contractors and provide periodic job meetings at least every two (2) weeks within the contractors' and City representatives to expedite and coordinate the work and minimize possible interferences and delays. Prepare meeting minutes and distribute to the City, contractor and other interested parties within five (5) calendar days after the meeting date. The Commissioner of Public Works, Parks and Streets shall designate a representative to attend job meetings.
  - 5.13 Where either required by law or by contract documents, verify that required licenses and/or certifications of various workmen are correct and current. Examples include, but are not limited to: Welder's Certifications, Asbestos Handler Certifications and Medical Clearance for Respirators.
  - 5.14 Confer as necessary with City officials and representatives of public and private organizations where there interests are affected by the project, including a possible scoping session regarding design and layout alternatives during the SEQRA review process.
  - 5.15 Maintain a record set of project drawings and plans which will show any changes in the work incorporated during construction and revise the tracings to form a final permanent record of the work; furnish a complete set of "record" tracings to the Commissioner of Public Works, Parks and Streets showing in detail, for maintenance and record purposes, the work as completed.
  - 5.16 Obtain from the contractors all operating and maintenance data, instructions, diagrams, replacement parts lists, guarantees, and manufacturers' service directory, and furnish a bound volume of the same, arranged for easy reference to the Department of Public Works for the permanent record.
  - 5.17 Make a final and thorough inspection of the completed work to assure that it is in first-class condition and certify to the City the completion thereof in accordance with the drawings, plans and specifications to the best of the Consultant's ability, and thereupon approve the contractors' estimates and claims for final payment.
  - 5.18 Provide the DPW with one [1] set of reproducible copies of all plans (copymax or photo mylar only) with as-built revisions, specifications, designs and all other documentation developed in conjunction with this project; also update Drawing Exchange Format (.DXF) and Autocad (.DWG) Format. All specifications, .DXF and .DWG files are to be transferred to CD-ROM and delivered to the DPW. This is acknowledgment by licensed professional of all as-built documents attesting to the completion of the same.
  - 5.19 Conduct an inspection sixty [60] days prior to the close out of all construction warranty periods and advise the DPW on the status of all constructed items.
  - 5.20 The consultant shall remain the Owner's representative to the contractors for the one [1] year Guarantee Phase for correction of construction deficits.
  - 5.21 If required, prepare and sign as Owner's authorized agent, any Request for Variances from agencies having jurisdiction.

121

City of Buffalo Policies

**Drawings and Specifications**

The drawings and specifications prepared by the Consultant shall be in conformity with all applicable laws, governmental rules and regulations, and the requirements of the RFP. The Consultant shall be responsible for obtaining all required permits, approvals and clearances from the appropriate state and local authorities with the exception only of such permits, approvals and clearances as are required to be obtained by the contractor or contractors for the Project. All drawings and specifications prepared under the Contract shall become the property of the City of Buffalo.

**Patents**

The drawings and specifications prepared by the Consultant shall not, without the prior written approval of the City, specify or require any patented article, design or process which requires payment by the City of royalties for its use or is of a proprietary nature.

**Reproductions**

The Consultant, at its own cost and expense, shall supply reproductions of plans, specifications, reports and other data and documents pertaining to the Project for its own use and for interoffice use with its sub-consultants. The City shall be entitled to be supplied with a maximum of six (6) reproductions of any plans, specifications, reports and other data and documents required to be prepared by the Consultant pursuant to Article 1 hereof. Reproduction of Contract Documents for bidding/construction purposes shall be the responsibility of the Consultant, if requested by the City, and shall be reimbursed by the City for the actual cost plus ten percent.

**Claims**

In the event any claim is made or any action is brought in any way relating to the design or construction of the Project, the Consultant, without additional compensation therefore, will diligently render to the City any and all architectural and engineering assistance which the City may require of the Consultant, including, but not limited to, the making of analyses and reports. Notwithstanding the foregoing, the Consultant shall not be required by the City, without extra compensation therefore, to prepare mock-ups, make tests or testify at a trial or pre-trial proceeding; provided, however, that the Consultant shall furnish such services at its own cost and expense where it is established by a judicial decree or finding that the aforesaid claim or action has arisen from the negligence of the Consultant or the failure of the Consultant to properly and fully perform its obligations and responsibilities under the Contract.

**Extra Compensation**

1. Final models, photographs and other architectural renderings, as contrasted to study or preliminary models, photographs or other architectural renderings, will be paid for either on a lump-sum basis agreed to in writing by the parties; the manner of payment to be determined by the City prior to the completion of performance of such services.

122

2. Special (additional) technical, engineering and/or consultation services will be paid for either on a lump-sum basis agreed to in writing by the parties hereto; the manner of payment to be determined by the City prior to the completion of the performance of such services.

3. Testing laboratory services, topographic, utility, traffic volume, air/water quality and property surveys, test borings, construction progress photos, and, in case of the rehabilitation of an existing building, determining the location, measurement and other essential data of existing architectural, structural, mechanical, electrical and utility features, the details of which, in the judgment of the City, are grossly deficient from a review of existing information and drawings and/or a physical inspection, shall be paid for either on a lump-sum basis agreed to in writing by the parties hereto. The above does not in any way prohibit the City from the directly contracting for such services from a mutually agreed upon provider.

4. Except for the changes and/or revisions prepared by the Consultant, all changes and/or revisions to drawings or specifications, resulting from a significant program change of the City prior to the award of a construction contract shall be paid for either on a lump-sum basis agreed to in writing by the parties hereto; the manner of payment to be determined by the City prior to the completion of performance of such services. Notwithstanding any of the other provisions hereof, whenever any program change results in an increase or decrease in the estimated cost of the Project, the Consultant's Basic Design Fee for services rendered prior to said change shall be based on the last approved Program Budget and the Consultant's Basic Design Fee for all services rendered after such change shall be based on the approved Revised Program Budget for the phase submission after the change was made.

5. All services rendered by the Consultant in connection with any work item, included in a change order to a construction contract, which results from either: (a) a program change of the City, or (b) conditions which, in the judgment of the City, could not have been reasonably anticipated or foreseen by the Consultant at the time bids for construction of the Project were received, will be paid for by the City on the basis of the approved value of said item multiplied by 5 percent. All services rendered by the Consultant in connection with all other extra work items and all deleted work items, included in a change order to a construction contract and inspection of construction work.

6. Notwithstanding any of the other provisions of this Section, the City will reimburse the Consultant for such field office expenses, other than salaries and fringe benefits, required or approved in writing by the City which, as a result of the nature of the Project, are, in the judgment of the City, substantially in excess of those field office expenses normally incurred by a Consultant in furnishing field administration of a construction contract and inspection of construction work.

7. Additive and deductive alternatives, in which changes in design are involved, as opposed to a material or equipment substitution or addition which, in the judgment of the City, does not involve design changes, will be paid for either on the basis of the Consultant's direct labor cost plus a sum equal to 130 percent thereof or on the basis of the amount the Construction Documents Payment would have been increased had the value of such alternates been added to the amount of the approved Pre-bid Cost Estimate; the manner of payment to be determined by the City within sixty (60) days after the award of the construction contract. For the purposes of the preceding sentence, deductive alternates shall be added to, rather than subtracted from, the Pre-Bid Cost Estimate and the value of all alternates shall be deemed to be an amount equal to the bid quoted for the alternates by the lowest bidder or, in the event that the lowest bidder does not submit a bid for such alternates, an average of all bids submitted therefore. Notwithstanding the foregoing, unless otherwise agreed to in writing by the City, the

123

Consultant shall not be entitled to reimbursement of costs or any additional compensation in connection with any alternates for any construction contract or part thereof which is being re-bid because all bids previously received by the City were in excess of the amount of the Program Budget of the City therefore and were rejected by the City.

Notwithstanding the foregoing, all services rendered by the Consultant in connection with alternates that involve a material or equipment substitution, addition or deletion, which, in the judgment of the City, does not involve design changes, and all services rendered by the Consultant in connection with any additive or deductive alternates prior to the Construction Document Phase shall be deemed covered by the Total Fee unless otherwise agreed to in writing by the City.

8. In the event the Consultant is caused to furnish services, not provided for herein and not previously performed, as a result of the City declaring a contractor in default, damage to the project by fire or other casualty, or a delay, through no fault or omission of the Consultant, in completion of construction of more than one (1) year after the specified completion date in a construction contract, the City shall pay the Consultant for such services, but, in the case of delayed construction completion, for only those services performed after said one (1) year period, on the basis of the Consultant's direct labor cost plus a sum equal to 150 percent thereof; provided, however, that the Consultant shall not be entitled to extra compensation for monitoring and inspecting either punch list, work or guarantee work items except monitoring and inspection services performed by the Consultant after the expiration of eighteen (18) months from the commencement of the one (1) year general guarantee period.

9. Notwithstanding the foregoing, the Consultant shall not be entitled to extra compensation under any of the preceding subdivisions of this Section unless the services to be provided by the Consultant hereunder have been requested and approved in writing by the City.

### **General Provisions**

#### **Approval**

Wherever in this Contract action is to be taken by or approval given by the City, such action or approval may be taken or given by any officer or employee of the City duly designated to act on behalf of the City as designated by the Commissioner of Public Works.

#### **Definitions**

In the event that the principals of the party referred to in the Contract as the "Consultant" are architects, engineers, landscape consultants or surveyors, then and in that event, wherever the word or designation "Consultant" appears in this Contract, such word or designation shall be deemed to be "Architect", "Engineer", "Landscape Consultant", or "Surveyor", as the case may be. For the purpose of this Contract, the terms "inspection" and/or "administration" shall not be interpreted as the Consultant's guarantee of workmanship or that the Contractor will not breach its construction contract.

#### **Delays or Omissions**

No delay or omission by the City or the Consultant to exercise any right or remedy accruing to it under the terms of the Contract or existing at law or in equity or by statute or otherwise shall be construed as a waiver of any of the provisions of this Contract or of any such right or remedy and no

124

such delay or omission shall impair any such right or remedy or be construed to be a waiver of or acquiescence in the act or acts or omission or omissions to act giving rise to the accruals of such right or remedy, nor shall it affect the City's or the Consultant's rights or remedies upon the occurrence of any subsequent event of the same or of a different nature.

#### **Singular/Plural; Male/Female**

As used in this Contract, the singular of any word or designation, whenever necessary or appropriate, shall include the plural and vice versa, and the masculine gender shall include female and neuter genders and vice versa.

#### **Actions or Proceedings Against the City**

No action or proceeding shall lie or be maintained by the Consultant, or anyone claiming under or through the Consultant, against the City or any of its trustees, officers, agents or employees, upon any claim arising out of or based upon this Contract or any breach thereof or by reason of any act or omission of the City or its trustees, officers, agents or employees, unless such action or proceeding is commenced within one (1) year after the City's acceptance of the construction work.

#### **Firearms**

The City prohibits the possession of firearms by employees and persons under contract to the City on DPW property; except Authorized Security Officers or others specifically authorized by the contracting officer.

The possession of unauthorized firearms by persons and/or corporations under contract to the City on City property shall be considered as grounds for immediate forfeiture & termination of their contract and disbarment from consideration for future contracts.

#### **Drug & Alcohol Policy**

The City prohibits the use of alcohol on its premises, or work by persons under the influence of alcohol at or above the limit established under the NYS Motor Vehicle and Traffic Law for driving while impaired. The use or possession of illegal drugs; or work by persons impaired by the use of illegal drugs, on City premises is strictly prohibited.

Proof that any firm under contract to the City who allowed persons under their employ or employed by sub-contractors under contract to them at any level, to work while under the influence of alcohol or illegal drugs or to be in possession of illegal drugs upon City property or DPW premises, shall be considered by the City as ground for immediate forfeiture & termination of their contract.

## Insurance Requirements

### **A. Indemnification**

The Consultant shall indemnify, defend and save harmless the CITY, its officers, agents, servants and employees, from and against any and all claims, demands, suits, proceedings, liabilities, judgments, damages, losses, or costs, including attorneys' fees, of every name and description to which the CITY may be subjected to or put by reason of injury to the person or property of another, or the property of the CITY, arising out of, or relating to in any degree or manner whatsoever from or in connection with CONSULTANT'S activities in the performance of or failure to perform this contract. This provision shall include all losses, costs, and damages, which the CITY may suffer by reason of injury to the person or property of another, or the property of the CITY, resulting from but not limited to, the alleged negligence or carelessness, active or passive, of the CONSULTANT, or the alleged joint negligence active or passive, of the CONSULTANT and the CITY, its or their employees, agents, or sub-contractors, in the performance under this contract, or in the delivery of materials and supplies. The whole or so much money to become due under this contract or as shall be considered necessary by the CITY, may be retained by it until all suits or claims for damages shall have been settled or otherwise disposed of and evidence to that effect furnished to the satisfaction of the CITY.

The CONSULTANT shall defend, indemnify and hold harmless the City of Buffalo, its agents, officers, servants and/or employees for all claims or losses for personal injury involving employees of the CONSULTANT or persons working for the CONSULTANT or any contractor or subcontractor or supplier or any third parties injured during the performance of this contract. The provisions of this section shall survive the expiration or termination of this contract; shall not be limited by reason of any insurance coverage provided hereunder or the limits of any insurance requirements; and shall be separate and independent of any other requirement of this contract.

### **B. Insurance**

The CONSULTANT shall secure policies of Workman's Compensation, Professional Liability, General and Automobile Liability Insurance, and maintain said policies in force during the life of this contract in the limits set forth:

#### Workman's Compensation Insurance:

This contract shall be void and of no effect unless the CONSULTANT shall secure Workman's Compensation Insurance for the benefit of, and keep insured during the life of this contract, such employees as are necessary to be insured in compliance with the provisions of the State of New York workmen's Compensation Law.

#### General Liability:

With respect to all operations the CONSULTANT shall carry Commercial General Liability insurance providing for a minimum limit of two million dollars (\$2,000,000) per occurrence for each job site or location for all damages arising out of bodily injury, personal injury, property damage,

126  
products/completed operations, and contractual liability coverage for the indemnification provided under this contract. Each annual aggregate limit shall not be less than \$2,000,000.

Automobile Insurance:

With respect to any owned, non-owned, or hired vehicles the CONSULTANT shall carry Automobile Liability insurance providing for a minimum limit of two million dollars (\$2,000,000) per accident for bodily injury and property damage.

Professional Liability:

With respect to any damage caused by an error, omission or any negligent acts of the CONSULTANT, the CONSULTANT shall carry Professional Liability insurance providing two million dollars (\$2,000,000).

All policies of insurance required by this contract shall be provided and maintained at no cost or expense to the CITY and shall name the City of Buffalo as an Additional Insured and Certificate Holder with respect to the CONSULTANT'S activities. Professional Liability and Workmen's Compensation Insurance shall name the City of Buffalo as a Certificate Holder.

All policies of insurance shall be provided by a company or companies authorized to do business in the State of New York. Before commencing the work, the CONSULTANT shall furnish to the CITY a certificate of insurance, and shall thereafter provide renewal certificates, as appropriate, evidencing such coverage written by a company or companies acceptable to the CITY. All certificates of insurance shall be subject to the approval of the Corporation Counsel of the City as to form and of the Comptroller of the City as to sufficiency. Such certificates and renewal certificates shall provide for a notice of cancellation, change, lapse or restrictive amendment by certified or registered mail at least thirty (30) days.

Any contractor or subcontractor performing work under this contract shall procure and maintain statutory insurance and other insurance as determined by the CONSULTANT so as to properly cover the liability of the CONSULTANT, contractor and subcontractor(s). The policy limits shall be the same as required of the CONSULTANT and the certificates of insurance shall be delivered to the CONSULTANT.

SECURITY REQUIREMENTS <where required>

The selected firm shall be required to submit the names, Social Security Numbers and two (2) copies of photo ID at least ten (10) days in advance of working in the building for security background checks. Consultant's staff shall at all times on premises carry a photo ID on their person, where so specified in the scope of their work.

Exclusivity of Contacts During Restricted Period

Each respondent hereto shall provide the City with its proposal/bid packet any and all findings of non-responsibility made within the previous four years by any governmental entity where such prior finding of non-responsibility was due to (a) a violation of Section of 139-j of New York State Finance Law, or (b) the intentional provision of false or incomplete information to a governmental entity.

12-1

The City hereby designates Joseph Fanara, Architect as a person who is knowledgeable about this RFP and who may be contacted by respondents relative to the governmental procurement of services enumerated herein. No contact shall be made with any City officer or official other than that designated above as the contact person for this RFP relative to said RFP during the restricted period. The restricted period shall commence on the date of the release of this RFP and end on the date on which a successful Respondent has been chosen and approved by the Common Council of the City of Buffalo and either (1) further approved by the Mayor of the City of Buffalo and the Buffalo fiscal Stability Authority or (2) finally ratified by the City of Buffalo. Any contact made by any Respondent or agent with any City personnel not named herein shall be disclosed immediately by any Respondent or City personnel in writing and detail the time, place and manner of such contact for inclusion in the final bid documents.

#### **RELEASE OF THE CITY**

The acceptance by the Consultant or any person claiming under the Consultant of final payment made under the Contract shall operate as and shall be a release of the City from all claims by and liability to the Consultant, its successors, legal representatives and assigns, for anything done or furnished under the provisions of this Contract or in connection with the Project.

#### **TERMINATION OF CONTRACT**

##### **Personal Services**

It is understood between the parties that this Contract is intended to secure the personal services of the Consultant or Consultants (if a partnership) because of its or their ability or reputation and that this Contract shall not be assigned, sublet or transferred without the prior written consent of the City.

##### **Death or Disability**

In case of the death or disability of one or more but not all of the persons referred to as Consultant, the rights and duties of the Consultant shall, at the election of the City, devolve upon the survivor or survivors of them who shall be obligated to perform the services required under this Contract and the City shall make all payments due under this Contract to the survivors.

##### **Termination**

At any time during the effectiveness of this Contract, the City shall have the right upon seven (7) calendar days' written notice of the Consultant to terminate this Contract, for cause, convenience or in the event the certifications made to the City in the Consultant's response to the RFP are found to be false or incomplete or to postpone, delay, suspend or abandon all or any part of the project. In the event of such termination, postponement, delay, suspension or abandonment, the Consultant shall deliver to the City all plans, drawings, specifications, reports and other data and records pertaining to the Project and the City shall pay to the Consultant all amounts due in accordance with Article III hereof; provided, however, that if the City, after commencement of the Consultant's performance of services hereunder, postpones, delays or suspends the Project and subsequently, after a lapse of time, directs the resumption of performance of services by the Consultant, the Consultant, if it, in the judgment of the City, is caused to do extra work, which it would not have otherwise had to do, as a result thereof,

will be entitled to extra compensation for such extra work in accordance with the provisions of appropriate sections hereof. Except as expressly provided in the previous sentence, such termination, postponement, delay suspension or abandonment shall not give rise to any cause of action or claim against the City for damages, extra remuneration or loss of anticipated profits. In the event such termination, postponement, delay, suspension or abandonment is caused because of the Consultant's failure to fulfill its obligations or responsibilities under this Contract, the Consultant shall remain liable to the City for all damages suffered by it by reason of such failure, including, but not limited to, any excess costs incurred in completing the Project by the use of employment of other Consultants or otherwise.

#### **LIABILITY OF CONSULTANT**

In addition to any liability or obligations of the Consultant to the City that may exist under any other provisions of this Contract or by statute or otherwise, the Consultant shall be liable to and hold harmless and indemnify the City from and against any damages, lawsuits, claims, and liabilities, excluding the City's attorney fees and court costs, which the City may sustain, be subject to or be caused to incur by virtue of as a result of any claim, demand, lawsuit, proceeding, action or cause of action in connection with the Project for:

1. Any infringement of any claimed copyright or patent right of designs, plans, drawings or specifications resulting from the use or adoption of any designs, plans, drawings or specifications furnished by the Consultant; or

2. Any negligence of the Consultant, its agents, employees, officers, subconsultants or subcontractors for which the Consultant is legally liable.

The Consultant represents that its subconsultants, subcontractors, agents, employees and officers shall possess the experience, knowledge and character necessary to qualify them individually for the particular duties they perform in connection with the Project.

Nothing in this Article or in this Contract shall create or give to third parties any claim or right of action against the Consultant or the City beyond such as may legally exist irrespective of this Article or this Contract.

#### **EVALUATION:**

The City's objective in soliciting proposals is to enable it to select a respondent that will provide high quality and cost effective services to the citizens of Buffalo. The City will consider proposals only from respondents that, in the City's sole judgment, have demonstrated the capability and willingness to provide high quality services to the citizens of the City in the manner described in this RFP. Qualification statements will be evaluated by the City on the basis of which respondents are the most advantageous to the City based on experience and other factors considered. The evaluation will consider:

- |  |     |
|--|-----|
| 1. Comprehensiveness of plan in addressing City's identified scope of work | 65% |
| 2. Fee schedule.   | 10% |
| 3. Resumes of key personnel.   | 10% |
| 4. Availability to work within time frame allotted.                        | 10% |
| 5. References.   | 5%  |

129

The City will select the most advantageous Qualification Statements based on all of the evaluation factors set forth in this RFP. The City will make the award(s) that is in the best interest of the City.

Each proposal must satisfy the objectives and requirements detailed in this RFP except as otherwise stated. Successful respondents shall be determined by an evaluation of the total content of the proposal submitted. The City reserves the right to not select any of the Qualification Statements.

The City shall not be obligated to explain the results of the evaluation process to any respondent.

**INSTRUCTIONS FOR CONSULTANT SUBMITTING PROPOSALS**

1. Prepare a brief statement outlining your understanding of the scope of work and your approach to each task.
2. Provide a detailed description of your proposed team for this contract. Include professional resumes and experience. **Please limit experience to related work only.**
3. Complete the attached Consultant Fee Schedule.
4. Provide a detailed schedule for each task with a breakdown of estimated hours required.
5. Identify any sub-Consultants your firm may use at any time throughout this project.
6. Three (3) copies of the proposal shall be submitted no later than **3:00 PM, January 12, 2011.** Proposals shall be submitted to:

Mr. Steven Stepniak  
Commissioner of Public Works, Parks & Streets  
Room 502 City Hall  
Buffalo, NY 14202-3305

Please contact Joseph Fanara at (716) 851-5965 or [jfanara@city-buffalo.com](mailto:jfanara@city-buffalo.com) with any questions.

Very truly yours

  
Steven J. Stepniak  
Commissioner

SJS/PJM/DDC/JF  
cc: Joseph Schollard, Dep. Dir. of Bldgs.  
File

130

SOUTH BUFFALO LEGACY PARK & CENTER:

Phase 1 and SEQRA for Phase II Development of Community Center

Job #1074

RFP sent 12/13/10 to:

Trautman Associates  
470 Franklin St.  
Buffalo, NY 14202

URS Corp.  
77 Goodell St.  
Buffalo, NY 14203

Mr. Gregory Hewitt, PE  
DiDonato Associates  
689 Main St.  
Buffalo, NY 14203

Canon Design  
2170 Whitehaven Rd.  
Grand Island, NY 14072

Barton, Hovey, Nardini, Tries  
2495 Main St.  
Buffalo, NY 14214

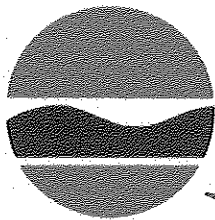
Clough, Harbour & Associates, LLP  
295 Main St.  
Suite 900  
Buffalo, NY 14203

M/E Engineering, PC  
Waterfront Village Center  
60 Lakefront Blvd.  
Suite 320  
Buffalo, NY 14202

Nussbaumer & Clarke, Inc.  
3556 Lake Shore Rd.  
Suite 500  
Blasdell, NY 14219

Clark Patterson Lee  
26 Mississippi St  
Suite 300  
Buffalo, NY 14203

Tommaso Briatico Architects  
360 Delaware Ave.  
Buffalo, NY 14202



00033

# FACT SHEET

## NYSDEC Certifies Cleanup Requirements Achieved at 1132-1146 Seneca Street Site in Buffalo

**Brownfield Cleanup Program****Project No. C915228****December 2010**

### Introduction

The New York State Department of Environmental Conservation (NYSDEC) has determined that cleanup requirements at the 1132-1146 Seneca Street Site, located on Seneca Street in the City of Buffalo, have been achieved.

NYSDEC approved a Final Engineering Report that documents the cleanup actions performed at the site and issued a Certificate of Completion to Flexo Transparent, Inc. and RSB Enterprises. A copy of the Certificate of Completion, which certifies that the site has been properly cleaned up and made suitable for redevelopment, is available at the locations identified in this fact sheet.



### What Cleanup Actions Were Performed?

An environmental cleanup action was performed in 2009-2010 to remove approximately 4,775 tons of contaminated soil. The environmental cleanup involved:

- Removal and offsite disposal of polychlorinated biphenyl (PCB) contaminated soils;
- Removal and offsite disposal of semi-volatile organic compound (SVOC) contaminated soil;
- Removal and offsite disposal of underground storage tank and contaminated water/soils;
- Restoration of the site by backfilling excavations with clean soils;
- Limiting the use of the site for industrial purposes by placing an environmental easement on the property;
- Developing and implementing a Site Management Plan to ensure the site controls are maintained.

The cleanup actions successfully addressed contamination, and NYSDEC approved the Final Engineering Report and Site Management Plan in December 2010. The Certificate of Completion was also issued in December 2010.

### Are Controls In Place to Ensure Continued Protection of Public Health and the Environment?

Institutional controls and engineering controls are designed to reduce or eliminate exposure to any remaining contaminants of concern. An *institutional control* is a non-physical restriction, such as an environmental easement, placed on use of the site when contamination left over after the cleanup action makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method, such as a vapor barrier, to manage contamination.

30

The following institutional controls have been put in place on the site:

- Prohibiting the use of site groundwater for potable use; and
- Implementing a Site Management Plan and Environmental Easement which restricts the use of the site.

### Next Steps

No additional steps are necessary. NYSDEC issued the Certificate of Completion based on review and approval of a Final Engineering Report submitted by the applicant. The Final Engineering Report includes:

- A description of the cleanup activities completed;
- Certification that cleanup requirements have been achieved for the site;
- A description of any institutional/engineering controls to be used; and
- Certification that a site management plan for any engineering controls used at the site has been approved by NYSDEC.

### Background

The Site encompasses approximately 4.2 acres and is located on the northern/northeastern side of Seneca Street in a predominantly mixed industrial, commercial and residential area of south Buffalo, New York. The Site has been used for industrial purposes, including an electrical transformer repair facility. Previous releases of PCBs by a previous site owner impacted the Site. Flexo purchased the property to voluntarily cleanup and redevelop the Site for light industrial purposes.

### Who Should I Contact If I Have Questions About the Site?

Comments and questions are always welcome and should be directed as follows:

#### Project related questions:

Jim Richert  
Malcolm Pirnie Inc.  
50 Fountain Plaza, Suite 600  
Buffalo, NY 14202  
(716) 667-6654  
[JRichert@PIRNIE.COM](mailto:JRichert@PIRNIE.COM)

#### Environment related questions:

Bill Murray  
NYSDEC  
270 Michigan Avenue  
Buffalo, NY 14203  
(716) 851-7220  
[wpmurray@gw.dec.state.ny.us](mailto:wpmurray@gw.dec.state.ny.us)

#### Health related questions:

Matthew Forcucci  
NYSDOH  
584 Delaware Ave.  
Buffalo, NY 14202-7295  
(716) 847-4503  
[mjfl3@health.state.ny.us](mailto:mjfl3@health.state.ny.us)

### Locations to View Project Documents

Project documents are available at the following locations:

Buffalo & Erie County Public Library  
Dudley Branch  
2010 South Park Ave.  
Buffalo, NY 14220  
Phone: (716) 823-1854

OR

NYSDEC Buffalo Office  
270 Michigan Avenue  
Buffalo, N.Y. 14203  
(716) 851-7220  
(please call for appointment)

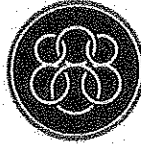
You may also view electronic copies of project documents at <http://www.dec.ny.gov/chemical/52466.html>. Electronic documents may be abbreviated due to size limitations on the DEC website, but full documents are always available at the listed locations.

RECEIVED AND FILED

FILED  
CITY CLERK

00034

APPEAL PRESERVATION BOARD  
888 MAIN ST  
132



**THE EIGHTS**  
BISTRO AT 888 MAIN STREET

To Whom It May Concern:

I would like to appeal the Preservation Boards decision regarding The Eights Bistro located at 888 Main St. We want to put up a fixed wedge shaped awning across the front of the building with graphics on it. This design will provide much needed protection and identification.

The preservation Board denied me request and suggested two (2) individual retractable awnings instead. This would provide neither the protection nor the identification I am looking for.

The previous owner applied for this exact awning in September 2009. At that time the Preservation Board denied his request also. He then appealed to the Common Council which granted permission to put up the single wedge shaped awning.

The previous owner ended up not opening the business and therefore did not put up the awning. I am asking the Common Council to approve this appeal like it did in the fall 2009.

Sincerely,

  
Amelia Schineller

REFERRED TO THE COMMITTEE  
ON LEGISLATION.

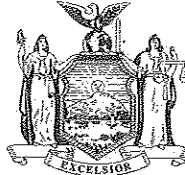
LEC

30A  
R7

□ 213 MAHONEY STATE OFFICE BUILDING  
65 COURT STREET  
BUFFALO, NEW YORK 14202  
(716) 854-8705  
FAX: (716) 854-3051

□ ROOM 902 LEGISLATIVE OFFICE BUILDING  
ALBANY, NEW YORK 12247  
(518) 455-3371  
FAX: (518) 426-6969

□ 1902 MAIN STREET  
NIAGARA FALLS, NEW YORK 14305  
(716) 284-5789  
FAX: (716) 284-5820



THE SENATE  
STATE OF NEW YORK  
**ANTOINE M. THOMPSON**  
SENATOR, 60TH DISTRICT  
THOMPSON.NYSENATE.GOV  
ATHOMPSON@SENATE.STATE.NY.US

**CHAIR** 133  
ENVIRONMENTAL CONSERVATION  
**COMMITTEES**  
CIVIL SERVICE & PENSIONS  
FINANCE  
HEALTH  
INSURANCE  
LOCAL GOVERNMENT  
TOURISM, RECREATION  
& SPORTS DEVELOPMENT  
VETERANS, HOMELAND SECURITY &  
MILITARY AFFAIRS

December 28, 2010

**Re: Emerald Ash Borer threatens our communities**

Dear Municipal Official:

I am writing to you regarding an invasive species that is threatening the ash trees in New York State and elsewhere. The Emerald Ash Borer, (EAB) or *Agrilus planipennis* was identified in June 2002 as the agent in ash tree decline and mortality in the Detroit metropolitan area. The infested ash trees displayed dying crowns in the second year of infestation and most died within five years. Recently, the EAB was found in Cattaraugus County, and will likely invade Erie, Chautauqua and Niagara Counties within the next few years.

The implications of such an invasion could be devastating for Western New York and beyond. To date, no way has been found to effectively stop the Ash Borer's destruction, and most credible observers fear a near-complete annihilation of New York's ashes in the coming decades.

It is projected that there may be 150,000 ash street trees in New York's municipalities and over 900 million in the entire state. Dealing with public safety threats from infested, dying and dead ash trees in urban and suburban areas will be expensive and will involve cutting down dying trees and replacing them with new trees or prolonged treatment with systemic insecticides. Just cutting the trees down, at a cost of \$1,000 to \$1,500 each, will mean an incredible expense to New York's municipalities. A study conducted by USDA Forest Service Northern Research Station projects a cost of \$32.95 billion for New York State. It is important that municipalities begin planning for this eventuality and educating their citizens about this looming problem.

Other repercussions of an EAB infestation are likely to include decreased property values, losses in the long-term supply of ash wood, decreased air quality, increased electricity use during hot weather as tree shading is reduced, and negative impacts on Native American cultures that use ash wood for traditional crafts and ceremonies. In addition, there are likely to be serious impacts on wildlife and natural ecosystems.

134  
Given the already strained economic conditions we face statewide and nationally, I stress that working in cooperation with all levels of government is critical to manage the economic impacts of this invasive pest.

Researchers at SUNY ESF, Cornell University, and USDA ARS have conducted research on the EAB in New York and offer a few ways to slow the spread of EAB through an approach called SLAM, or **SL**ow **A**sh **M**ortality. This approach to EAB management will slow the spread and afford valuable time for communities and individuals to plan for EAB arrival and allow time for research to further refine management techniques.

1. Insecticides can sometimes be helpful, although they are not recommended for widespread use by homeowners, because the insecticides that may be effective in controlling EAB are toxic to other organisms and can get into streams and waterways. Professionally applied insecticides are most appropriate for high-value trees in yards, parks and along streets. Professional trunk injection of certain pesticides can provide up to two years of protection per treatment, but the costs can be high and the treatments must be repeated regularly because the EAB will remain in an area for years.
2. The DEC has adopted regulations to restrict the import of untreated firewood from other states and prohibit restrict the movement of untreated firewood long distances within the State. Only local firewood should be utilized since the interstate transport of firewood has been identified as one of the main ways EAB has moved across the country.
3. "Trap trees" can be created to attract adult EAB as both an early-detection method and as a way to limit the spread of EAB by providing them with an attractive, nearby target to lay their eggs. Trap trees are removed before the following spring, also removing any larvae that are in those trees. Trap trees are created by girdling them, causing them to emit certain chemicals, which signals the EAB that the tree is vulnerable and therefore an ideal location to lay eggs.

In addition, The SUNY College of Environmental Science and Forestry is working with the US Forest Service to investigate the use of a native, stingless wasp, with the common name of Smoky Winged Beetle Bandit as a possible early-detection technique for the Emerald Ash Borer. Research is being conducted in New York on the potential impact of the wasp in assisting in the detection of EAB populations. Smoky Winged Beetle Bandits have been found around the Central and Capital regions of the state.

Naturally, the solution to this problem, like many other issues with ecological implications, is to work through multiple tactics to reduce the impact of the EAB, with an emphasis on educating the public, particularly homeowners, as they may need to eventually deal with infected trees on their property.

Although I will not be serving as State Senator as of January 1<sup>st</sup>, I encourage those in office to work together to address this issue for the benefit of our communities and our shared environment.

135  
Thank you for your time and please feel free to contact the New York State Department of Environmental Conservation's EAB Hotline at 1-866-640-0652 or Cornell University Forest Entomologist, Mark Whitmore at mcw42@cornell.edu if you have any questions on the Emerald Ash Borer. More information on EAB is also available on the internet at:

<http://www.nyis.info>

<http://www.dec.ny.gov/animals/7253.html>

<http://www.emeraldashborer.info>

Sincerely,

  
Antoine M. Thompson  
New York State Senator, 60<sup>th</sup> District

Cc:

Chief of Bureau of private Land Services, Bruce Williamson  
Mayor of City of Buffalo, Byron W. Brown  
County Executive, Chris Collins  
City of Buffalo Common Council  
Erie County Legislature  
Commissioner, Steven Stepniak  
Mayor of Niagara Falls, Paul Dyster  
Niagara Falls City Council  
Supervisor Grand Island, Peter McMahon  
Mayor of City of Tonawanda, Ronald Pillozzi  
Regional Director of DEC, Abby Snyder  
Niagara County Environmental Management Council.  
Buffalo Environmental Management Commission, David Hahn Baker,  
Buffalo Pest Management Board, Joseph Gardella  
President & Chief Executive Officer Buffalo of Olmsted Parks Conservancy, Thomas Herrera-Mishler  
Forest Entomologist at Cornell University—Dept. of Natural resources, Mark C. Whitmore

RECEIVED AND FILED

136

## PETITIONS

00036

137

A. Komanecky, Agent, Use 1700 Kenmore-Erect Pole Sign in a M-1 Zone  
(North)(no pub hrg)

REFERRED TO THE COMMITTEE ON LEGISLATION AND THE CITY  
PLANNING BOARD

32

B8

<u>Amy Komanecky</u>	<u>1700 Kennmore Avenue</u>	<u>erect Pole Sign</u>
NAME OF AGENT/OWNER	ADDRESS	PROJECT

716-854-0060

THE ATTACHED PERMIT IS FOR COMMON COUNCIL APPROVAL. NO PUBLIC HEARING IS REQUIRED AS DETERMINED BY THE PERMIT OFFICE.

REFERRED TO THE COMMITTEE ON LEGISLATION AND CITY PLANNING BOARD.

MESSAGE TO APPLICANT: PLEASE CONTACT BILL GRILLO OF THE CITY PLANNING BOARD (851-5086) TO DETERMINE WHETHER OR NOT YOU NEED PLANNING BOARD APPROVAL.

January 18, 2011  
2:00

City of Buffalo  
65 Niagara Square  
Buffalo, NY 14202  
(716)851-4949 Fax (716)851-5472

# SIGNS Building Application

139

Report Date 01/05/2011 09:33 AM

Submitted By FLD

Page 1

A/P # 163018

## Application Information

### Stages

	Date / Time	By		Date / Time	By
Processed	01/05/2011 09:29	DIGEF	Temp COO		
Issued			COO		
Final			Expires		

### Associated Information

Type of Work	# Plans	0	Declared Valuation	0.00
Dept of Commerce	# Pages	0	Calculated Valuation	0.00
Priority	<input checked="" type="checkbox"/> Auto Reviews	Bill Group	Actual Valuation	0.00
Square Footage	0.00	Name		

### Description of Work

\*\*\*COMMON COUNCIL APPROVAL,NO PUBLIC HEARING/PLANS REQUIRED\*\*\* TO ERECT A POLE SIGN 7'X10' X 20'HIGH ON THE CORNER OF POLK PL. AND KENMORE AVE ON PRIVITE PROPERTY IN AN M-1 ZONING DISTRICT ON A LOT PROPOSED TO HAVE A STAND ALONE MERCENTILE BUILDING "FAMILY DOLLAR" (GC A/P #157803) SURVEY AND SKETCH SCANNED.

### Parent A/P #

Project #

Project/Phase Name

Phase #

Size/Area

Size Description

### Property/Site Information

Address 1700 KENMORE  
BUFFALO NY 14216-

Location

### Owner/Tenant

Contact ID AC1211541 Name AM-ELM REALTY INC.

Mailing Address

City 1691 KENMORE AVE

ZIP/PC 14217

Day Phone

Fax

Occupant N From To

Organization

State/Province KENMORE NY

Country

☐ Foreign

Evening Phone

Mobile #

Owner Y From 02/22/2005 To 05/06/2007

Contact ID AC205433 Name AM-ELM REALTY INC.

Mailing Address 1691 KENMORE AVE

City KENMORE

ZIP/PC 14217

Day Phone

Fax

Occupant N From To

Organization

State/Province NY

Country USA

☐ Foreign

Evening Phone

Mobile #

Owner Y From 10/30/1997 To

Contact ID AC14082 Name AM-ELM REALTY,INC.

Mailing Address

City 1691 KENMORE AVE

ZIP/PC 14217

Day Phone

Fax

Occupant N From To

Organization

State/Province KENMORE NY

Country

☐ Foreign

Evening Phone

Mobile #

Owner Y From 05/28/2000 To 05/06/2007

Report Date 01/05/2011 09:33 AM

Submitted By FLD

Page 2

Linked Addresses

No Addresses are linked to this Application

AVP Linked Addresses

No Addresses are linked to this Application

Linked Parcels

0783700001007000

AVP Linked Parcels

No Parcels are linked to this Application

Applicants/Contacts

No Applicant Contacts

Contractors

Primary	Y	Capacity Type	
Effective		Expire	
Contact ID	TBB	Name	TO BE BID
Phone	(716)851-4924 x	Fax	
Comments	APPLICANT/ELLCOT DEV. REP: AMY KOMANECKY 854-0060 301 CITY HALL BUFFALO, NY 14202-		

License #	Type	Contact ID	Name
999999	HIM	AC125720	TO BE BID

Item Description

Item Status

Check Fees	Fees Failed
APPLICATION FEE (PLANS) (\$25.00)	Unpaid
FLAT FEE POLE SIGN AT COMMERCIAL SITE (\$75.00)	Unpaid
Check Inspections	Inspections Successful
Check Reviews	Reviews Failed
537470 CC APP COMMON COUNCIL APPROVAL REQ'D	Incomplete
537467 PLAN REV - REVIEW REQUIRED	Incomplete
Check Conditions	Conditions Successful
Check Alert Conditions	Alert Conditions Successful
Check Licenses	Not Checked
Check Children Status	Children Successful
Check Open Cases	0

Fees	Status	Paid Date	Amount
APPLICATION FEE (PLANS)	U		25.00
FLAT FEE POLE SIGN AT COMMERCIAL SITE	U		75.00
<b>Total Unpaid</b>		<b>100.00</b>	<b>Total Paid 0.00</b>

Inspections

There are no Inspections for this Report

Review Activities

Act #	Act Type	Status	Waived	Issued	Started	Completed
537470	CC APP	0	N			

Report Date 01/05/2011 09:33 AM

Submitted By FLD

Page 3

Review Activities Act # Comp By	Act Type Comments	Status	Waived	Issued	Started	Completed
---------------------------------------	----------------------	--------	--------	--------	---------	-----------

537467	PLAN REV	0	N	01/05/2011 09:29		
--------	----------	---	---	------------------	--	--

Activity Review Details

Detail 1. PRIOR REQUIRED APPROVALS

Modified By DIGEF

Modified Date/Time 01/05/2011 09:29

Comments

No Comments

PRIOR APPROVALS

Bflo Arts Commission

- ☐ Arts Comm. Approval
- ☐ Special events

City Engineering

- ☐ Curb Cuts
- ☐ Encroachment
- ☐ Oversize Trucking
- ☐ Plumbers' Cuts
- ☐ Street Cuts

City Planning

- ☐ Citywide Site Plan
- ☐ Subdivisions
- ☐ Urban Renewal

City Survey

- ☐ Address Permit
- ☐ Development
- ☐ Flood Plain

City Survey (con't)

- ☐ Subdivisions

Common Council

- ☐ Admin Office/Apts R4
- ☐ Beauty Parlor R2
- ☐ Canopy/Marquee ROW
- ☒ Freestanding Sign
- ☐ Human Service Facility
- ☐ Portable Sign in ROW
- ☐ Restricted Use Permit
- ☐ Other

Environmental Review

- ☐ S.E.Q.R.A.
- ☐ N.E.P.A.

Law Office

- ☐ Insurances Check
- ☐ Title Held

Permit Office

- ☐ Asbestos Survey
- ☐ Bond/Certified check
- ☐ First Insurances Check
- ☐ Notarized Permission/  
Lease showing Use
- ☐ Rodent/Vermin Bait
- ☐ Sewer/Water Cut
- ☐ Simple Demolition
- ☐ Simple Plan Approval
- ☐ Zoning/Use Check

Preservation Board

- ☐ Preservation District
- ☐ Contiguous Check

Water Department

- ☐ New Water Supply
- ☐ Water Retention

- ☐ Asbestos Abatement
- ☐ Assessment Combination
- ☐ Public Works approval  
for portable sign one year  
encroachment
- ☐ Sewer Retention
- ☐ Telecommunication
- ☐ Tree over 4" at 4'
- ☐ Thruway Sign approval
- ☐ Zoning Variance

Detail 2. PLAN REVIEWS

Modified By DIGEF

Modified Date/Time 01/05/2011 09:30

Comments

No Comments

PLAN REVIEWS

Plans Review Required

- ☐ Simple Plan Review by Permit Office
- ☐ One- and Two-Family Plan Review
- ☐ Multiple Dwellings Plan Review
- ☒ Building Code Review
- ☐ Citywide Site Plan Submission Check
- ☐ Sewer Code Review
- ☐ Plumbing Code Review
- ☐ Electrical Code Review
- ☐ HVAC (Mechanical) Code Review
- ☐ Elevator Code Review
- ☒ Fire Code Review

Revisions Required

- ☐ Revisions Required for Simple Plans
- ☐ Revisions Req'd for 1- and 2-Family
- ☐ Revisions Req'd for Mult. Dwellings
- ☐ Revisions Req'd. for Bldg Code Rev.
- ☐ Revisions Req'd. for Citywide Site
- ☐ Revisions Required for Sewer Plans
- ☐ Revisions Required for Plumbing
- ☐ Revisions Required for Electrical
- ☐ Revisions Required for HVAC/Mech.
- ☐ Revisions Required for Elevators
- ☐ Revisions Required for Fire Bureau

Report Date 01/05/2011 09:33 AM

Submitted By FLD

Page 4

Check Conditions Condition Supervisor Required	Approval	Approved By Comments	Approved Date	Applied By	Applied Date	Assigned
--	----------	-------------------------	---------------	------------	--------------	----------

No Conditions

Planning Condition	Description	Effective	Expire	Comments
--------------------	-------------	-----------	--------	----------

There is no planning condition for this project.

A/P #	A/P Type	Status	Stage	Relation
-------	----------	--------	-------	----------

No Records for This Search Criteria

SIGNS

☐ Work Done by Owner

☐ Zoning Board of Appeals

POLESIGNCO FLAT FEES

☐ Work Without Permit (FINE)

NO.	TYPE OF SIGN	SIZE(S)	TOTAL SQ.FT.	HEIGHT
1	Pole Sign	7'X10'X20'TALL	= 70	20.0
0	Ground Sign		= 0	0.0
0	Wall Sign		= 0	
0	Awning Sign		= 0	
0	Advertising Sign		= 0	
0	Projecting Sign		= 0	
0	Roof Sign		= 0	

Zoning District: M-1

Model Home Details Type	Model #/Option	Comments
----------------------------	----------------	----------

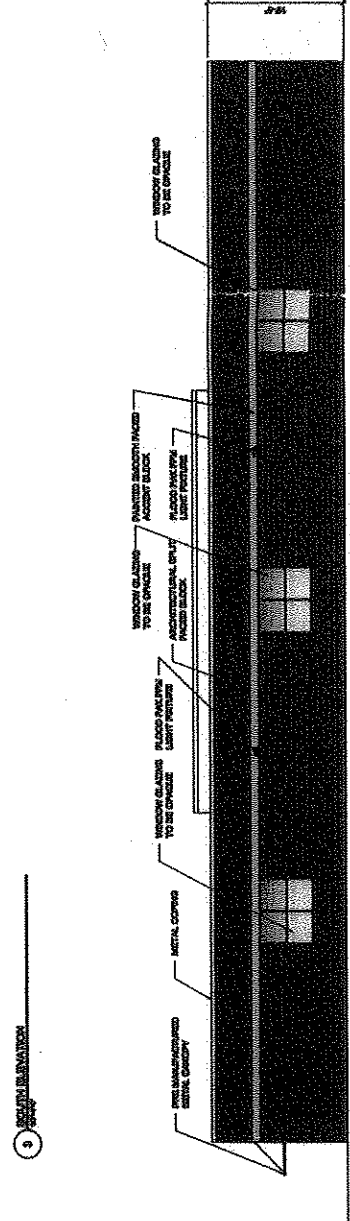
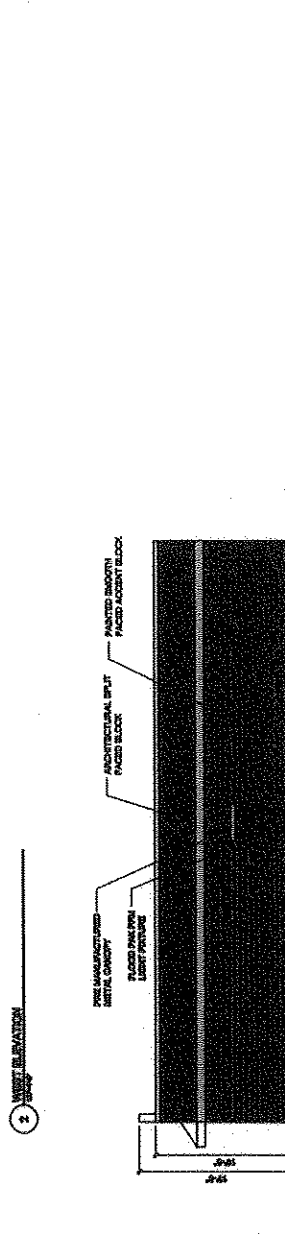
There are no items in this list

Employee Employee ID	Last	First	MI	Comments
-------------------------	------	-------	----	----------

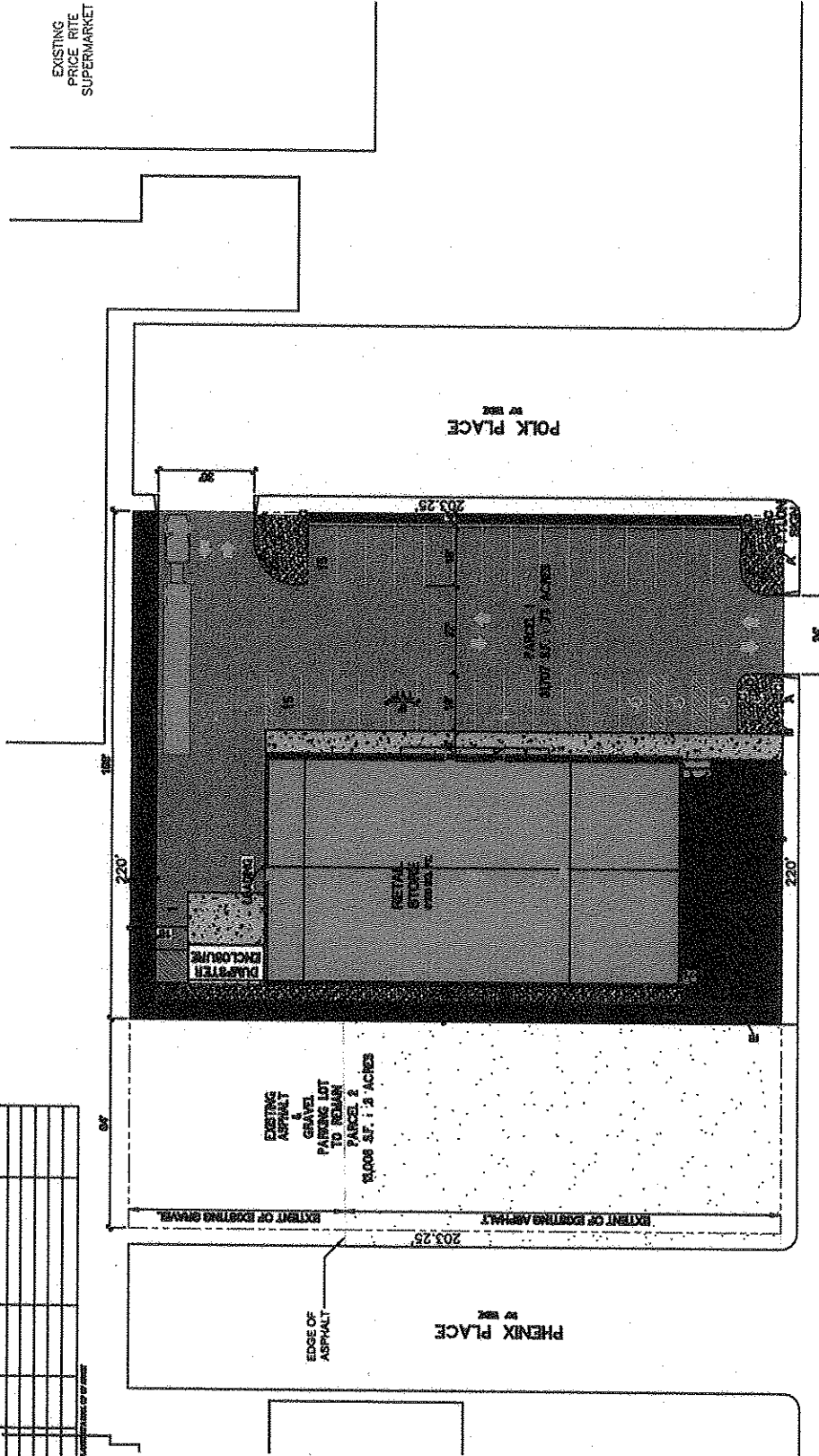
No Employee Entries

Log Action Comments	Description	Entered By	Start	Stop	Hours
---------------------------	-------------	------------	-------	------	-------

No Log Entries



1. <input type="checkbox"/> <b>RESEARCH</b> 2. <input type="checkbox"/> <b>TECHNOLOGY</b> 3. <input type="checkbox"/> <b>MANUFACTURING</b> 4. <input type="checkbox"/> <b>CONSTRUCTION</b> 5. <input type="checkbox"/> <b>TRANSPORTATION</b> 6. <input type="checkbox"/> <b>ENERGY</b> 7. <input type="checkbox"/> <b>ENVIRONMENT</b> 8. <input type="checkbox"/> <b>HEALTH</b> 9. <input type="checkbox"/> <b>EDUCATION</b> 10. <input type="checkbox"/> <b>RECREATION</b> 11. <input type="checkbox"/> <b>OTHER</b>		3. <input type="checkbox"/> <b>RESEARCH</b> 4. <input type="checkbox"/> <b>TECHNOLOGY</b> 5. <input type="checkbox"/> <b>MANUFACTURING</b> 6. <input type="checkbox"/> <b>CONSTRUCTION</b> 7. <input type="checkbox"/> <b>TRANSPORTATION</b> 8. <input type="checkbox"/> <b>ENERGY</b> 9. <input type="checkbox"/> <b>ENVIRONMENT</b> 10. <input type="checkbox"/> <b>HEALTH</b> 11. <input type="checkbox"/> <b>EDUCATION</b> 12. <input type="checkbox"/> <b>RECREATION</b> 13. <input type="checkbox"/> <b>OTHER</b>	4. <input type="checkbox"/> <b>RESEARCH</b> 5. <input type="checkbox"/> <b>TECHNOLOGY</b> 6. <input type="checkbox"/> <b>MANUFACTURING</b> 7. <input type="checkbox"/> <b>CONSTRUCTION</b> 8. <input type="checkbox"/> <b>TRANSPORTATION</b> 9. <input type="checkbox"/> <b>ENERGY</b> 10. <input type="checkbox"/> <b>ENVIRONMENT</b> 11. <input type="checkbox"/> <b>HEALTH</b> 12. <input type="checkbox"/> <b>EDUCATION</b> 13. <input type="checkbox"/> <b>RECREATION</b> 14. <input type="checkbox"/> <b>OTHER</b>	5. <input type="checkbox"/> <b>RESEARCH</b> 6. <input type="checkbox"/> <b>TECHNOLOGY</b> 7. <input type="checkbox"/> <b>MANUFACTURING</b> 8. <input type="checkbox"/> <b>CONSTRUCTION</b> 9. <input type="checkbox"/> <b>TRANSPORTATION</b> 10. <input type="checkbox"/> <b>ENERGY</b> 11. <input type="checkbox"/> <b>ENVIRONMENT</b> 12. <input type="checkbox"/> <b>HEALTH</b> 13. <input type="checkbox"/> <b>EDUCATION</b> 14. <input type="checkbox"/> <b>RECREATION</b> 15. <input type="checkbox"/> <b>OTHER</b>	6. <input type="checkbox"/> <b>RESEARCH</b> 7. <input type="checkbox"/> <b>TECHNOLOGY</b> 8. <input type="checkbox"/> <b>MANUFACTURING</b> 9. <input type="checkbox"/> <b>CONSTRUCTION</b> 10. <input type="checkbox"/> <b>TRANSPORTATION</b> 11. <input type="checkbox"/> <b>ENERGY</b> 12. <input type="checkbox"/> <b>ENVIRONMENT</b> 13. <input type="checkbox"/> <b>HEALTH</b> 14. <input type="checkbox"/> <b>EDUCATION</b> 15. <input type="checkbox"/> <b>RECREATION</b> 16. <input type="checkbox"/> <b>OTHER</b>	7. <input type="checkbox"/> <b>RESEARCH</b> 8. <input type="checkbox"/> <b>TECHNOLOGY</b> 9. <input type="checkbox"/> <b>MANUFACTURING</b> 10. <input type="checkbox"/> <b>CONSTRUCTION</b> 11. <input type="checkbox"/> <b>TRANSPORTATION</b> 12. <input type="checkbox"/> <b>ENERGY</b> 13. <input type="checkbox"/> <b>ENVIRONMENT</b> 14. <input type="checkbox"/> <b>HEALTH</b> 15. <input type="checkbox"/> <b>EDUCATION</b> 16. <input type="checkbox"/> <b>RECREATION</b> 17. <input type="checkbox"/> <b>OTHER</b>	8. <input type="checkbox"/> <b>RESEARCH</b> 9. <input type="checkbox"/> <b>TECHNOLOGY</b> 10. <input type="checkbox"/> <b>MANUFACTURING</b> 11. <input type="checkbox"/> <b>CONSTRUCTION</b> 12. <input type="checkbox"/> <b>TRANSPORTATION</b> 13. <input type="checkbox"/> <b>ENERGY</b> 14. <input type="checkbox"/> <b>ENVIRONMENT</b> 15. <input type="checkbox"/> <b>HEALTH</b> 16. <input type="checkbox"/> <b>EDUCATION</b> 17. <input type="checkbox"/> <b>RECREATION</b> 18. <input type="checkbox"/> <b>OTHER</b>	9. <input type="checkbox"/> <b>RESEARCH</b> 10. <input type="checkbox"/> <b>TECHNOLOGY</b> 11. <input type="checkbox"/> <b>MANUFACTURING</b> 12. <input type="checkbox"/> <b>CONSTRUCTION</b> 13. <input type="checkbox"/> <b>TRANSPORTATION</b> 14. <input type="checkbox"/> <b>ENERGY</b> 15. <input type="checkbox"/> <b>ENVIRONMENT</b> 16. <input type="checkbox"/> <b>HEALTH</b> 17. <input type="checkbox"/> <b>EDUCATION</b> 18. <input type="checkbox"/> <b>RECREATION</b> 19. <input type="checkbox"/> <b>OTHER</b>	10. <input type="checkbox"/> <b>RESEARCH</b> 11. <input type="checkbox"/> <b>TECHNOLOGY</b> 12. <input type="checkbox"/> <b>MANUFACTURING</b> 13. <input type="checkbox"/> <b>CONSTRUCTION</b> 14. <input type="checkbox"/> <b>TRANSPORTATION</b> 15. <input type="checkbox"/> <b>ENERGY</b> 16. <input type="checkbox"/> <b>ENVIRONMENT</b> 17. <input type="checkbox"/> <b>HEALTH</b> 18. <input type="checkbox"/> <b>EDUCATION</b> 19. <input type="checkbox"/> <b>RECREATION</b> 20. <input type="checkbox"/> <b>OTHER</b>	11. <input type="checkbox"/> <b>RESEARCH</b> 12. <input type="checkbox"/> <b>TECHNOLOGY</b> 13. <input type="checkbox"/> <b>MANUFACTURING</b> 14. <input type="checkbox"/> <b>CONSTRUCTION</b> 15. <input type="checkbox"/> <b>TRANSPORTATION</b> 16. <input type="checkbox"/> <b>ENERGY</b> 17. <input type="checkbox"/> <b>ENVIRONMENT</b> 18. <input type="checkbox"/> <b>HEALTH</b> 19. <input type="checkbox"/> <b>EDUCATION</b> 20. <input type="checkbox"/> <b>RECREATION</b> 21. <input type="checkbox"/> <b>OTHER</b>	12. <input type="checkbox"/> <b>RESEARCH</b> 13. <input type="checkbox"/> <b>TECHNOLOGY</b> 14. <input type="checkbox"/> <b>MANUFACTURING</b> 15. <input type="checkbox"/> <b>CONSTRUCTION</b> 16. <input type="checkbox"/> <b>TRANSPORTATION</b> 17. <input type="checkbox"/> <b>ENERGY</b> 18. <input type="checkbox"/> <b>ENVIRONMENT</b> 19. <input type="checkbox"/> <b>HEALTH</b> 20. <input type="checkbox"/> <b>EDUCATION</b> 21. <input type="checkbox"/> <b>RECREATION</b> 22. <input type="checkbox"/> <b>OTHER</b>	13. <input type="checkbox"/> <b>RESEARCH</b> 14. <input type="checkbox"/> <b>TECHNOLOGY</b> 15. <input type="checkbox"/> <b>MANUFACTURING</b> 16. <input type="checkbox"/> <b>CONSTRUCTION</b> 17. <input type="checkbox"/> <b>TRANSPORTATION</b> 18. <input type="checkbox"/> <b>ENERGY</b> 19. <input type="checkbox"/> <b>ENVIRONMENT</b> 20. <input type="checkbox"/> <b>HEALTH</b> 21. <input type="checkbox"/> <b>EDUCATION</b> 22. <input type="checkbox"/> <b>RECREATION</b> 23. <input type="checkbox"/> <b>OTHER</b>	14. <input type="checkbox"/> <b>RESEARCH</b> 15. <input type="checkbox"/> <b>TECHNOLOGY</b> 16. <input type="checkbox"/> <b>MANUFACTURING</b> 17. <input type="checkbox"/> <b>CONSTRUCTION</b> 18. <input type="checkbox"/> <b>TRANSPORTATION</b> 19. <input type="checkbox"/> <b>ENERGY</b> 20. <input type="checkbox"/> <b>ENVIRONMENT</b> 21. <input type="checkbox"/> <b>HEALTH</b> 22. <input type="checkbox"/> <b>EDUCATION</b> 23. <input type="checkbox"/> <b>RECREATION</b> 24. <input type="checkbox"/> <b>OTHER</b>	15. <input type="checkbox"/> <b>RESEARCH</b> 16. <input type="checkbox"/> <b>TECHNOLOGY</b> 17. <input type="checkbox"/> <b>MANUFACTURING</b> 18. <input type="checkbox"/> <b>CONSTRUCTION</b> 19. <input type="checkbox"/> <b>TRANSPORTATION</b> 20. <input type="checkbox"/> <b>ENERGY</b> 21. <input type="checkbox"/> <b>ENVIRONMENT</b> 22. <input type="checkbox"/> <b>HEALTH</b> 23. <input type="checkbox"/> <b>EDUCATION</b> 24. <input type="checkbox"/> <b>RECREATION</b> 25. <input type="checkbox"/> <b>OTHER</b>	16. <input type="checkbox"/> <b>RESEARCH</b> 17. <input type="checkbox"/> <b>TECHNOLOGY</b> 18. <input type="checkbox"/> <b>MANUFACTURING</b> 19. <input type="checkbox"/> <b>CONSTRUCTION</b> 20. <input type="checkbox"/> <b>TRANSPORTATION</b> 21. <input type="checkbox"/> <b>ENERGY</b> 22. <input type="checkbox"/> <b>ENVIRONMENT</b> 23. <input type="checkbox"/> <b>HEALTH</b> 24. <input type="checkbox"/> <b>EDUCATION</b> 25. <input type="checkbox"/> <b>RECREATION</b> 26. <input type="checkbox"/> <b>OTHER</b>	17. <input type="checkbox"/> <b>RESEARCH</b> 18. <input type="checkbox"/> <b>TECHNOLOGY</b> 19. <input type="checkbox"/> <b>MANUFACTURING</b> 20. <input type="checkbox"/> <b>CONSTRUCTION</b> 21. <input type="checkbox"/> <b>TRANSPORTATION</b> 22. <input type="checkbox"/> <b>ENERGY</b> 23. <input type="checkbox"/> <b>ENVIRONMENT</b> 24. <input type="checkbox"/> <b>HEALTH</b> 25. <input type="checkbox"/> <b>EDUCATION</b> 26. <input type="checkbox"/> <b>RECREATION</b> 27. <input type="checkbox"/> <b>OTHER</b>	18. <input type="checkbox"/> <b>RESEARCH</b> 19. <input type="checkbox"/> <b>TECHNOLOGY</b> 20. <input type="checkbox"/> <b>MANUFACTURING</b> 21. <input type="checkbox"/> <b>CONSTRUCTION</b> 22. <input type="checkbox"/> <b>TRANSPORTATION</b> 23. <input type="checkbox"/> <b>ENERGY</b> 24. <input type="checkbox"/> <b>ENVIRONMENT</b> 25. <input type="checkbox"/> <b>HEALTH</b> 26. <input type="checkbox"/> <b>EDUCATION</b> 27. <input type="checkbox"/> <b>RECREATION</b> 28. <input type="checkbox"/> <b>OTHER</b>	19. <input type="checkbox"/> <b>RESEARCH</b> 20. <input type="checkbox"/> <b>TECHNOLOGY</b> 21. <input type="checkbox"/> <b>MANUFACTURING</b> 22. <input type="checkbox"/> <b>CONSTRUCTION</b> 23. <input type="checkbox"/> <b>TRANSPORTATION</b> 24. <input type="checkbox"/> <b>ENERGY</b> 25. <input type="checkbox"/> <b>ENVIRONMENT</b> 26. <input type="checkbox"/> <b>HEALTH</b> 27. <input type="checkbox"/> <b>EDUCATION</b> 28. <input type="checkbox"/> <b>RECREATION</b> 29. <input type="checkbox"/> <b>OTHER</b>	20. <input type="checkbox"/> <b>RESEARCH</b> 21. <input type="checkbox"/> <b>TECHNOLOGY</b> 22. <input type="checkbox"/> <b>MANUFACTURING</b> 23. <input type="checkbox"/> <b>CONSTRUCTION</b> 24. <input type="checkbox"/> <b>TRANSPORTATION</b> 25. <input type="checkbox"/> <b>ENERGY</b> 26. <input type="checkbox"/> <b>ENVIRONMENT</b> 27. <input type="checkbox"/> <b>HEALTH</b> 28. <input type="checkbox"/> <b>EDUCATION</b>
---	--	---	--	---	--	---	--	---	--	--	--	--	--	--	--	--	--	--	---



KENMORE AVENUE  
100' HIGH



PARKING SUMMARY		
TOTAL SPACES	31 REQUIRED; 31 PROVIDED	
HANDICAP SPACES	3 REQUIRED & PROVIDED	
BUILDING AREA (SQ FT)		2,100
SITE AREA (SQ FT)		31,600
		1/2" = 1'-0"

00037

A. Komanecky, Agent, Use 3364 Bailey-Erect a 1 Sty. Masonry Store  
& Fence Exceeding Hgt Restrictions  
(Univ)(no pub hrg)

REFERRED TO THE COMMITTEE ON LEGISLATION, THE CITY PLANNING  
BOARD AND ZONING BOARD

143

<u>Amy Komanecky</u>	<u>3364 Bailey Ave.</u>	<u>fence exceeding height</u>
NAME OF AGENT/OWNER	ADDRESS	PROJECT

716-854-0060

THE ATTACHED PERMIT IS FOR COMMON COUNCIL APPROVAL. NO PUBLIC HEARING IS REQUIRED AS DETERMINED BY THE PERMIT OFFICE.

REFERRED TO THE COMMITTEE ON LEGISLATION AND CITY PLANNING BOARD.

MESSAGE TO APPLICANT: PLEASE CONTACT BILL GRILLO OF THE CITY PLANNING BOARD (851-5086) TO DETERMINE WHETHER OR NOT YOU NEED PLANNING BOARD APPROVAL.

City of Buffalo  
65 Niagara Square  
Buffalo, NY 14202  
(716)851-4949 Fax (716)851-5472

# GC Building Application

Report Date 01/05/2011 09:59 AM

Submitted By FLD

Page 1

A/P # 157802

## Application Information

Stages		Date / Time	By	Date / Time	By
Processed		08/27/2010 15:14	KRUGD	Temp COO	
Issued				COO	
Final				Expires	

## Associated Information

Type of Work	# Plans	0	Declared Valuation	95000.00
Dept of Commerce	# Pages	0	Calculated Valuation	0.00
Priority	<input checked="" type="checkbox"/> Auto Reviews	Bill Group	Actual Valuation	0.00
Square Footage	0.00	Name		

## Description of Work

CITY WIDE SITE PLAN APPROVAL REQ. ERECT A 1 STY. MASONRY STORE WITH PARKING "FAMILY DOLLAR" PLANS REQ. \*\*\*\*ZBA APPROVAL REQUIRED FOR FENCE EXCEEDING HEIGHT RESTRICTION 511-115E./PARKING DEFICIENT BY 8 SPACES 511-96B./PYLON SIGN NOT MEETING RESTRICTIONS IN KB ZONE 511-65F.(2)\*\*\* C.C. APPROVAL/NO PUBLIC HEARING REQUIRED FOR POLE SIGN IN KB/C2 ZONE.

## Parent A/P #

Project #	Project/Phase Name	Phase #
Size/Area	Size Description	

## Property/Site Information

Address 3364 BAILEY  
BUFFALO NY 14215-

## Location

## Owner/Tenant

Contact ID AC338311 Name LLC 1238 GROUP

Mailing Address 295 MAIN ST SUITE 210

City BUFFALO

ZIP/PC 14203

Day Phone

Fax

Occupant N From To

## Organization

State/Province NY

Country USA

☐ Foreign

Evening Phone

Mobile #

Owner Y From 07/09/2009 To

Contact ID AC1221380 Name SUE KIM, KIM YOUNG H.

Mailing Address 635 N. FOREST RD

City WILLIAMSVILLE

ZIP/PC 14221

Day Phone

Fax

Occupant N From To

## Organization

State/Province NY

Country US

☐ Foreign

Evening Phone

Mobile #

Owner Y From 02/22/2005 To 05/06/2007

Contact ID AC23917 Name SUE KIM, KIM, YOUNG H.

Mailing Address 635 N. FOREST RD

City WILLIAMSVILLE

ZIP/PC 14221

Day Phone

Fax

Occupant N From To

## Organization

State/Province NY

Country USA

☐ Foreign

Evening Phone

Mobile #

Owner Y From 05/28/2000 To 05/06/2007

City of Buffalo  
65 Niagara Square  
Buffalo, NY 14202  
(716)851-4949 Fax (716)851-5472

# GC Building Application

Report Date 01/05/2011 09:59 AM

Submitted By FLD

Page 2

## Linked Addresses

No Addresses are linked to this Application

## A/P Linked Addresses

No Addresses are linked to this Application

## Linked Parcels

0797200002026000

## A/P Linked Parcels

No Parcels are linked to this Application

## Applicants/Contacts

No Applicant Contacts

## Contractors

Primary Y Capacity Type  
Effective Expire  
Contact ID TBB Name TO BE BID  
Phone (716)851-4924 x Fax Address 301 CITY HALL  
Comments BUFFALO, NY 14202-  
ANTHONY PALUMBO 854-0060

License #	Type	Contact ID	Name
999999	HIM	AC125720	TO BE BID

## Item Description

## Item Status

Check Fees	Fees Failed
APPLICATION FEE (\$50.00)	Unpaid
GC PLAN REVIEW - MERCANTILE (\$364.00)	Unpaid
GC PMT, INSP, C OF O FEE - MERCANTILE (\$364.00)	Unpaid
GC PMT, INSP, C OF O - INITIAL FEE (\$200.00)	Unpaid
ZONING BOARD FEE (\$75.00)	Paid
Check Inspections	Inspections Successful
Check Reviews	Reviews Failed
520685 CITY WIDE CITY WIDE SITE PLAN APPROVAL	Incomplete
530268 ZONVARI ZONING BOARD VARIANCE REQUIRED	Approved
Check Conditions	Conditions Successful
Check Alert Conditions	Alert Conditions Successful
Check Licenses	Not Checked
Check Children Status	Children Successful
Check Open Cases	3
Case # 180032	
Case # 155340	
Case # 154495	

Fees	Status	Paid Date	Amount
APPLICATION FEE	U		50.00
GC PLAN REVIEW - MERCANTILE	U		364.00
GC PMT, INSP, C OF O FEE - MERCANTILE	U		364.00
GC PMT, INSP, C OF O - INITIAL FEE	U		200.00
ZONING BOARD FEE	P	10/29/2010 14:47	75.00
Total Unpaid		978.00	Total Paid 75.00

Report Date 01/05/2011 09:59 AM

Submitted By FLD

Page 3

Inspections

There are no inspections for this Report

Review Activities

Act #	Act Type	Status	Waived	Issued	Started	Completed
Comp By	Comments					
520685	CITY WIDE	0	N			
530268	ZONVARI	1	N		11/19/2010 10:55	11/19/2010 10:55
CHWAT						

Activity Review Details

No Activity Review Details

Check Conditions

Condition	Approval	Approved By	Approved Date	Applied By	Applied Date	Assigned
Supervisor Required	Comments					

No Conditions

Planning Condition	Description	Effective	Expire	Comments
--------------------	-------------	-----------	--------	----------

There is no planning condition for this project.

A/P #	A/P Type	Status	Stage	Relation
-------	----------	--------	-------	----------

No Records for This Search Criteria

General Construction

0 No. of Residential Units Lost ☐ Residential ☐ Work Without Permit (FINE) Debris:  
0 No. of Residential Units Added ☒ Commercial ☐ Work Done by Owner ☐ Truss Construction

☒ Zoning Board of Appeals 10/29/2010 10:44

ELEVATORS

You must fill out the custom form on activity detail if there is ELEVATOR work to be completed.

Building Construction: MAS

USE SQ FT  
USE

Sq. Ft.	Demo	GC
M 9100.00		Y

Model Home Details

Type	Model #/Option	Comments
------	----------------	----------

There are no items in this list

Employee  
Employee ID

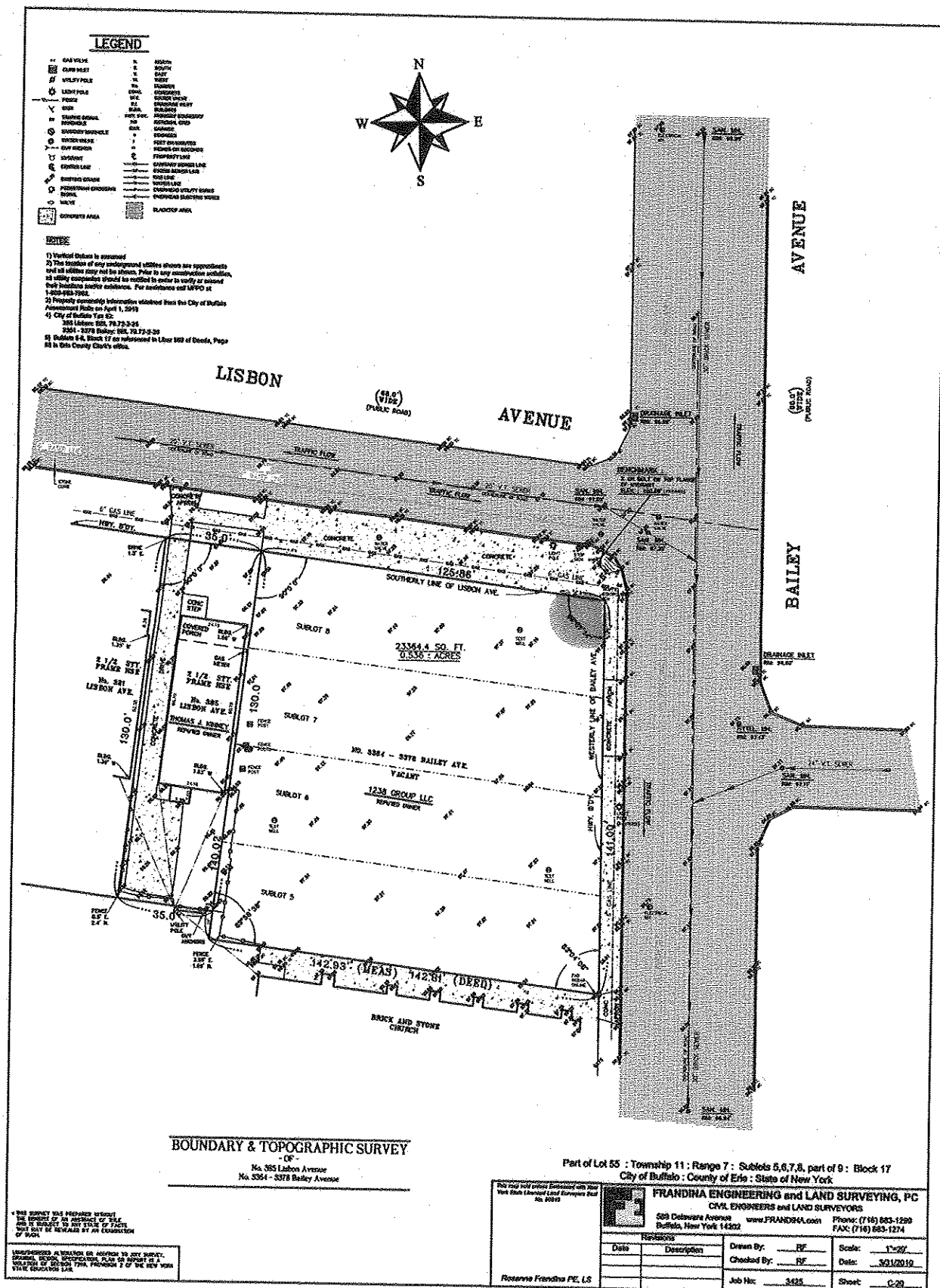
Last	First	MI	Comments
------	-------	----	----------

No Employee Entries

Log  
Action  
Comments

Description	Entered By	Start	Stop	Hours
-------------	------------	-------	------	-------

No Log Entries



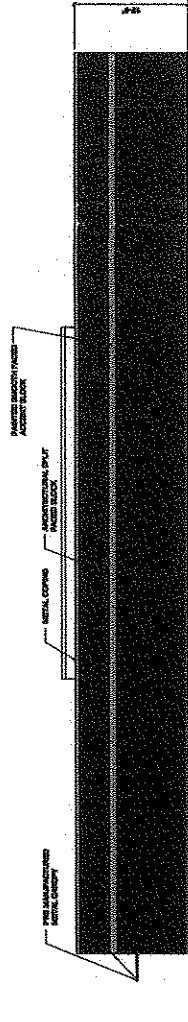
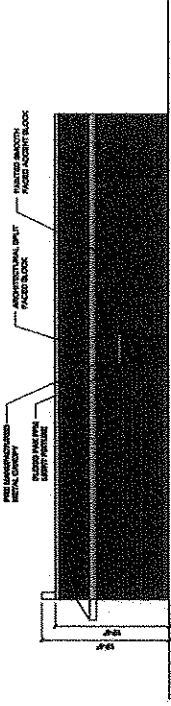
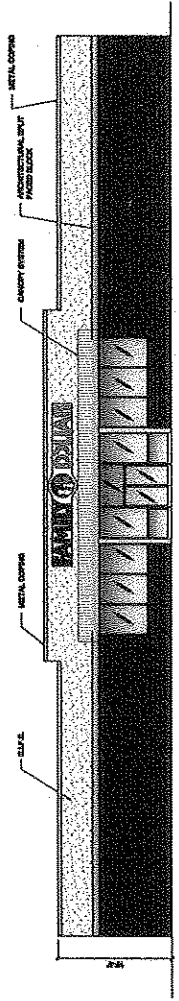
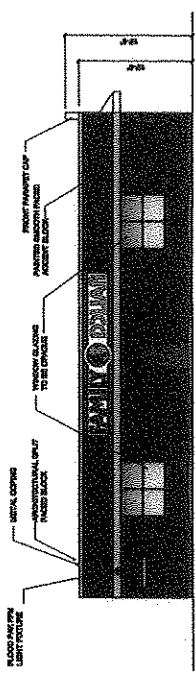
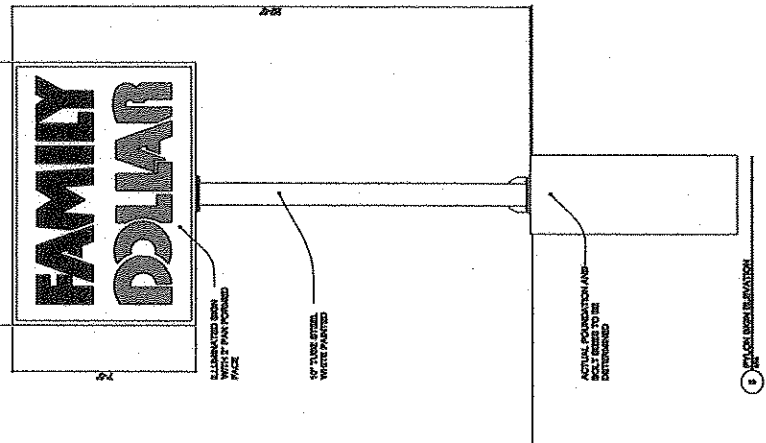
147

A-1

DATE	2009-03
BY	JK
PROJECT NO. 09-001 PROJECT NAME: PROPOSED FAMILY DOLLAR PROJECT ADDRESS: 147 BAILEY AVENUE PROJECT CITY: BUFFALO, N.Y. 14202	

PROPOSED FAMILY DOLLAR  
BAILEY AVENUE & LISBON  
BUFFALO, NEW YORK

PROPOSED BUILDING ELEVATIONS




FAMILY DOLLAR PROPOSED BUILDING ELEVATIONS  
FOR BAILEY AVENUE AND LISBON

149



PROVIDE VOUCHER TO COLLECTOR FOR THE ABOVE INDICATED. SET ALONG AS A MARK OF COVER

NO.	DATE	ISSUED FOR:	BY

 <b>Ellicott Development Company</b> A Division of Ellicott Development, Inc. 10000 Ellicott Road, Suite 100 Ellicott, NY 11937		<b>PROPOSED FOR:</b> 10000 Ellicott Road, Suite 100 Ellicott, NY 11937
<b>DRAWING NUMBER:</b> 10000-01	<b>JOB NUMBER:</b> 2008-53	<b>DRAWN BY:</b> LJP
<b>DATE:</b> 1/15/10		

Q

## Regular Committees

150

**CIVIL SERVICE**  
**(Bonnie E. Russell, Chairperson)**

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 38**

**PASSED January 11, 2011**

Appt Associate Accountant(Cont Perm)(Inter)(Fanton)(Compt)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00038

Appt Associate Accountant(Cont Perm)(Inter)(Fanton)(Compt)  
(ccp# 11, 12/28)

Mrs Russell moved

That Communication of 11 of December 28, 2010, be received and  
Filed and that the Permanent appointment of Richard Fanton, 193 W.  
Woodside, Buffalo, NY 14220 at the Intermediate Salary of  
\$46,562.00 is hereby approved.

PASSED

AYES - 9 NOES - 0

Recommended by the Committee on Civil Service Bonnie E Russell



18

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	*	*	
	*	9	* 0	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

00039

153

Notices of Appointments-Temp/Prov/Perm(Cty Clk)  
Ccp# 32, 12/28

Mrs. Russell moved

That the above item be the same and hereby is Received and Filed

ADOPT

Donna E Russell

Recommended by the Committee on Civil Service

2

154

## **FINANCE**

**(Michael P. Kearns, Chairman)**

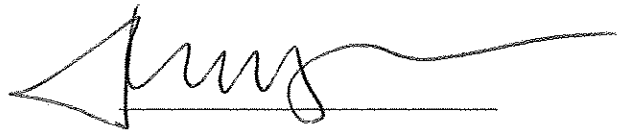
00040

Audit Report-Division of Treasury and Collection (Compt)  
Ccp# 10, 12/28

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in dark ink, appearing to be 'Kearns', written over a horizontal line.

Recommended by the Committee on Finance

00041

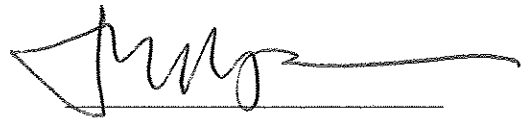
Cell Block Agreement with Erie County(Compt)  
Ccp# 12, 11/16

156

Mr. Kearns moved

That the above item be the same and hereby is Referred to the Special Committee on Police Oversight

ADOPT

A handwritten signature in black ink, appearing to be "J. M. O.", written over a horizontal line.

Recommended by the Committee on Finance

00041

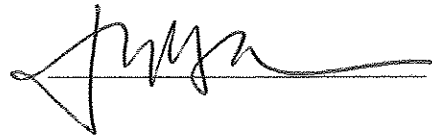
W. James-Schwan-Advise Karla Thomas Not to Appear at Finance Meeting  
Ccp# 45, 9/21

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

Recommended by the Committee on Finance

A handwritten signature in dark ink, appearing to be 'J. Schwan', written over a horizontal line.

5

00043

J. Pajak-RFP's Recyclable Material  
Ccp# 48, 10/05

158

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in cursive script, reading "Michael P. Kearns". The signature is written in dark ink and is positioned above a horizontal line.

Recommended by the Committee on Finance

6

00048

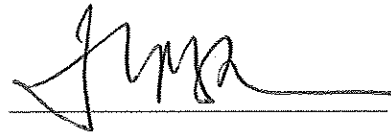
J. Golombek-Concerns Purchase Orders  
Ccp# 53, 7/06

159

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in black ink, appearing to be "J. Golombek", written over a horizontal line.

Recommended by the Committee on Finance

7

00045

160

Response-Policy for Selling City Owned Assets(Compt)  
Ccp# 14, 6/22

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in black ink, appearing to be "J. M. R.", written over a horizontal line.

Recommended by the Committee on Finance

A handwritten mark or signature in black ink, possibly a stylized "S" or "J", located in the bottom right corner of the page.

00046

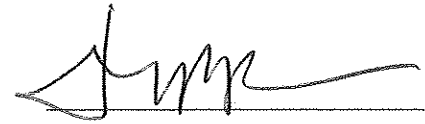
161

Response Assessment Reform in COB(Asmt)  
Ccp# 16, 6/22

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in black ink, appearing to be "J. M. R.", written over a horizontal line.

Recommended by the Committee on Finance

9

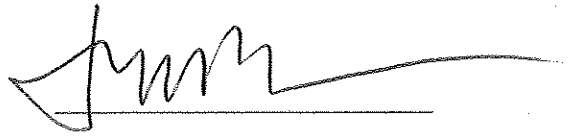
00047

Req for Proposals-Design & Constr Admin Serv for South Bflo Legacy Complex(PW)  
Ccp# 23, 6/22

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in black ink, appearing to be "J. W. H.", written over a horizontal line.

Recommended by the Committee on Finance

10

00048

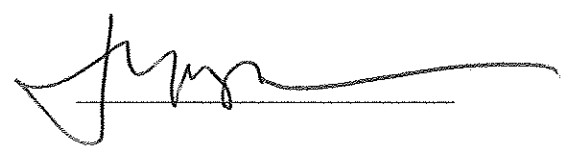
Response to MIS Selling Obsolete Equipment (HR)  
Ccp# 37, 6/22

163

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in dark ink, appearing to be 'J. Kearns', written over a horizontal line.

Recommended by the Committee on Finance

11

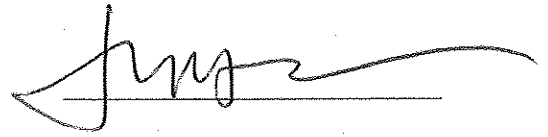
00049

Response Policy for Selling Obsolete City Assets(Cty Clk)  
Ccp# 39, 6/22

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in black ink, appearing to be "J. M. Kearns", written over a horizontal line.

Recommended by the Committee on Finance

12

00050

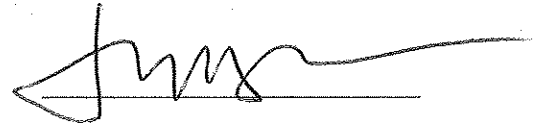
Response Request Assmt Hrgs to be Held in Council Districts(Assmt)  
Ccp# 15, 2/2

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

Recommended by the Committee on Finance

A handwritten signature in black ink, appearing to be 'J. M. S.', written over a horizontal line.

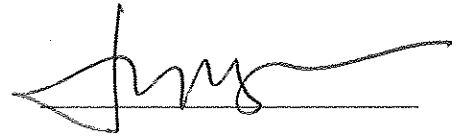
00051

M. Kearns-Req Bd of Assmt Review Conduct Hearings in Council Districts  
Ccp# 39, 2/2

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in black ink, appearing to be 'Jms', written over a horizontal line.

Recommended by the Committee on Finance

14

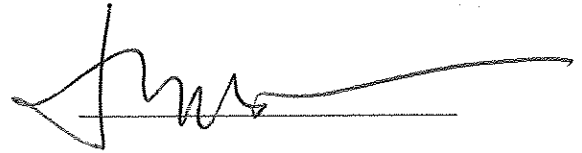
00052

167  
Withholding Retention Fund for Main St. Reconst, Phase II Until All Outstanding Claims Have  
Been Resolved(Exc Resolves)  
Ccp# 70, 10/14

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in black ink, appearing to be "J. M. Kearns", written over a horizontal line.

Recommended by the Committee on Finance

15

**COMMUNITY DEVELOPMENT**  
**(Michael J. LoCurto, Chairman)**

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 53**

**PASSED January 11, 2011**

Report of Sale 89 Jewett (Masten)(Strat Plan)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00053

Report of Sale -- 89 Jewett  
(Item No. 7, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. LoCurto moved:

That the offer from Ms. Stephanie L. Randall, residing at 91 Jewett Avenue, in the sum of One Thousand and Seven Hundred Dollars (\$1,700.00) for the purchase of 89 Jewett, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development

  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\7c12-28c.doc



114

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	9	0	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

**No. 54**

**PASSED January 11, 2011**

Report of Sale 657 Woodlawn (Masten)(Strat Plan)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00054

Report of Sale – 657 Woodlawn  
(Item No. 9, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. LoCurto moved:

That the offer from Mr. James J. Poole and Mrs. Deborah S. Poole, residing at 651 Woodlawn Avenue, in the sum of One Thousand and Seven Hundred Dollars (\$1,700.00) for the purchase of 657 Woodlawn, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development

*[Signature]*  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\9c12-28c.doc



17

172

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	9	0	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

**No. 55**

**PASSED January 11, 2011**

Report of Sale388 Winslow (Masten)(Strat Plan)(#3,11/30)(#63,12/14)(#47,12/28)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00055

Report of Sale – 388 Winslow  
(Item No. 3, C.C.P., Nov. 30, 2010)  
(Item No. 47, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. LoCurto moved:

That the offer from Rev. Jacqueline Foye of Apostolic House of Prayer, 1455 Fillmore Avenue, in the sum of Two Thousand and Four Hundred Dollars (\$2,400.00) for the purchase of 388 Winslow, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

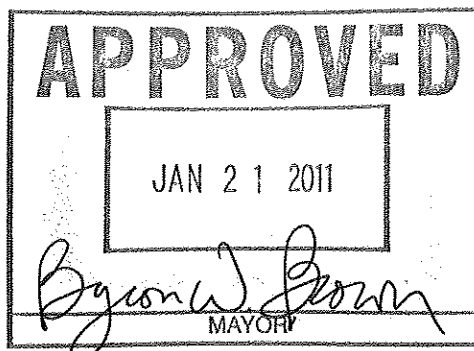
That the Executive Director, Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

Passed.

Recommended by the Committee on Community Development

  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\3c11-30c.doc



18

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

**HON. BYRON W. BROWN  
MAYOR OF BUFFALO**

**DEAR SIR:**

Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

**No. 56**

**PASSED January 11, 2011**

Report of Sale 276 Chelsea (Masten)(Strat Plan)  
(#4,3/30)(#54,4/13)(#64,9/21)(#48,12/28)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00056

Report of Sale – 276 Chelsea  
(Item No. 64, C.C.P., Sep. 21, 2010)  
(Item No. 48, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. LoCurto moved:

That the offer from Mrs. Lula Foxworth, residing at 278 Chelsea, in the sum of Two Thousand Dollars (\$2,000.00) for the purchase of 276 Chelsea, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development

  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\64c9-21c.doc



19

176

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	*	*	
	*	9	0	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

**No. 57**

**PASSED January 11, 2011**

Report of Sale 42 Colorado (Masten)(Strat Plan)  
(#5,3/30)(#55,4/13)(#65,9/21)(#49,12/28)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00057

Report of Sale - 42 Colorado  
(Item No. 5, C.C.P., Mar. 30, 2010)  
(Item No. 49, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. LoCurto moved:

That the offer from Arthur T. Logan, residing at 46 Colorado, in the sum of Nine Hundred Dollars (\$900.00) for the purchase of 42 Colorado, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

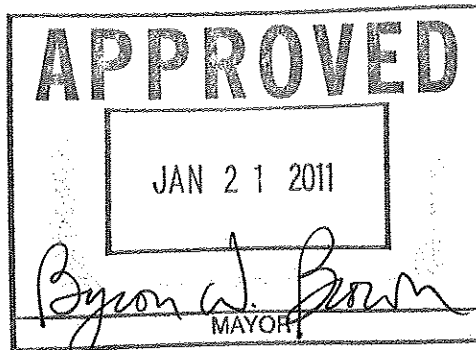
That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development

*m j l k*  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\65c9-21c.doc



20

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	9	0	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 58**

**PASSED January 11, 2011**

Report of Sale 1606 Jefferson (Masten)(Strat Plan)  
(#8,10/27)(#76,11/10)(#77,11/24)(#64,12/22)(#66,9/21)(#50,12/28)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00058

Report of Sale – 1606 Jefferson  
(Item No. 66, C.C.P., Sep. 21, 2010)  
(Item No. 50, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. LoCurto moved:

That the offer from Ms. Phyllis N. Caver, residing at 254 Brunswick Boulevard, in the sum of One Thousand and Nine Hundred Dollars (\$1,900.00) for the purchase of 1606 Jefferson, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

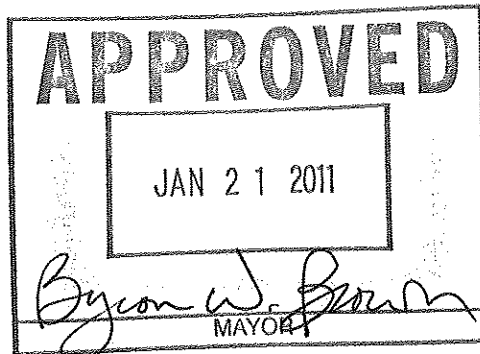
That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development

  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\66c9-21c.doc



21

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	*	*	
	*	*	*	

Maj - 5  
2/3 - 6  
3/4 - 7

9 0

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 59**

**PASSED January 11, 2011**

Report of Sale 14 Kehr (Masten)(Strat Plan)  
(#7,3/30)(#56,4/13)(#67,9/21)(#51,12/28)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00059

Report of Sale – 14 Kehr  
(Item No. 7, C.C.P., Mar. 30, 2010)  
(Item No. 51, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. LoCurto moved:

That the offer from Ms. Margaret A. Hawkins, residing at 20 Kehr Street, in the sum of One Thousand and One Hundred Dollars (\$1,100.00) for the purchase of 14 Kehr, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

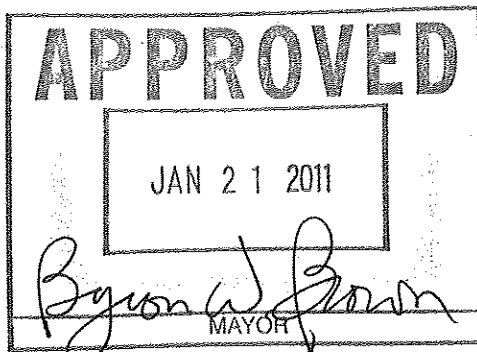
That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development

  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\67c9-21c.doc



22

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	9	*	*
	*	*	0	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

00060

183

M. LoCurto-Three Phase Plan for Revitalization of Statler Property  
(#34, 11/16)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Community Development

A handwritten signature in dark ink, appearing to be 'm. ph.', is written over a horizontal line.

23

184

## **LEGISLATION**

**(Joseph Golombek Jr., Chairman)**

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 61**

**PASSED January 11, 2011**

Food Store (New) 1146 Hertel (Del)(EDPI)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK

2011 JAN 24 AM 9:16

00061

Food Store License – 1146 Hertel  
(Item No. 26, C.C.P., Dec. 28, 2010)

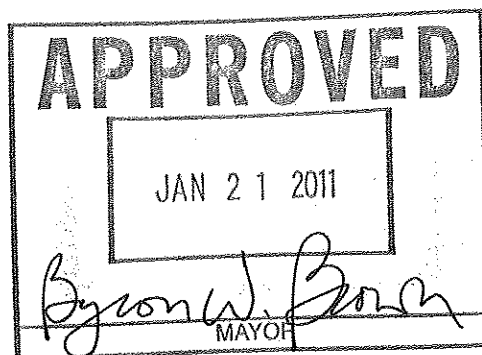
That pursuant to Chapter 194 of the City Code, the Commissioner of Permit and Inspection Services be, and he hereby is authorized to grant a Food Store License to Mohammed Ali Mahdi Al Jebori located at 1146 Hertel Avenue d/b/a Family Mart.

Passed

Recommended by the Committee on Legislation

*Joseph Hobbes Jr.*  
Chairman

TAB:rmv  
T:\wp60\unsword\rmv\26c12-28c.doc



24

186

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	9	0	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

62

187

Food Store License – 912 East Delavan  
(Item No. 25, C.C.P., Dec. 14, 2010)  
(Item No. 52, C.C.P., Dec. 28, 2010)

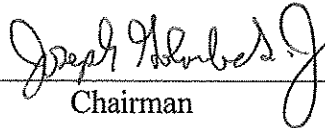
That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. Golombek moved:

That pursuant to Chapter 194 of the City Code, the Commissioner of Permit and Inspection Services be, and he hereby is authorized to grant a Food Store License to Mohamed Obeo Elwaseem d/b/a Save \$ Plus located at 912 East Delavan.

Passed

Recommended by the Committee on Legislation

  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\25c12-14c.doc

RECO

25

187A

**Mr. Golombek moved that the above item be recommitted to the Committee on Legislation**

**ADOPTED**

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 63**

**PASSED January 11, 2011**

Food Store License (New) 389 Grider (Masten)(EDPI)(#26,12/14)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:16

00062

188

Food Store License – 389 Grider  
(Item No. 26, C.C.P., Dec. 14, 2010)  
(Item No. 53, C.C.P., Dec. 28, 2010)

That pursuant to Chapter 194 of the City Code, the Commissioner of Permit and Inspection Services be, and he hereby is authorized to grant a Food Store License to Naser A. Saleh d/b/a City Max Market located at 389 Grider.

Passed /COND

*conditions attached*

Recommended by the Committee on Legislation

*Joseph G. Gholub, Jr.*  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\26c12-14c.doc



26

389 Rider's Conditions

189

That the above item be, and the same hereby is returned to the Common Council without recommendation.

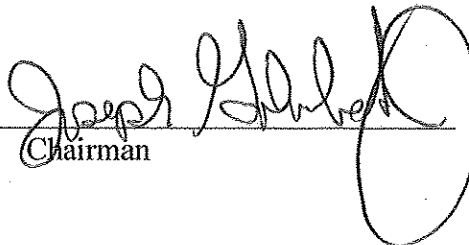
Mr. Golombek moved:

That pursuant to Chapter 194 of the City Code, the Commissioner of Permit and Inspection Services be, and he hereby is authorized to grant a Food Store License to Robert Brown d/b/a Ree-Wee's Variety Store located at 2319 Main Street a/k/a 2317 Main Street upon the following conditions:

1. The Store is to close on or before 11:00 pm on weeknights.
2. The Store is to close on or before 12 midnight on Fridays and Saturdays.
3. There are to be no "blunt" sales or displays at the Store.
4. There are to be no "one-hit" tobacco pop sales or displays at the Store.
5. There are to be no cigarette rolling papers sales or displays at the Store.
6. There are to be no glass tube sales or displays at the store.
7. There are to be no obstructions, barriers or signage placed on the windows of the Store.
8. No Loitering signs are to be posted on the Store.
9. No alcohol or tobacco ads are to be affixed or displayed on the outside of the store.
10. Coolers and mechanical equipment in the Store is to be in working order.
11. Any hand-painted or hand-drawn signs in the store must first be approved by Department of Inspections
12. The store must be kept clean of any and all dirt and debris at all times.
13. There is to be no loitering of patrons on the stores' premises.
14. The store owners will not harbor, encourage or participate in any illegal crime.

Passed

Recommended by the Committee on Legislation

  
Chairman

26

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	9	0	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

Food Store License – 2319 Main a/k/a 2317 Main  
(Item No. 28, C.C.P., Dec. 14, 2010)  
(Item No. 55, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

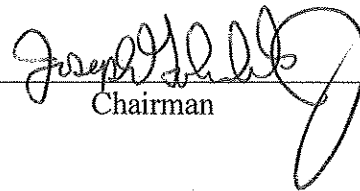
Mr. Golombek moved:

That pursuant to Chapter 194 of the City Code, the Commissioner of Permit and Inspection Services be, and he hereby is authorized to grant a Food Store License to Robert Brown d/b/a Pee-Wee's Variety Store located at 2319 Main Street a/k/a 2317 Main Street upon the following conditions:

1. The Store is to close on or before 11:00 pm on weeknights.
2. The Store is to close on or before 12 midnight on Fridays and Saturdays.
3. There are to be no "blunt" sales or displays at the Store.
4. There are to be no "one-hit" tobacco pop sales or displays at the Store.
5. There are to be no cigarette rolling papers sales or displays at the Store.
6. There are to be no glass tube sales or displays at the store.
7. There are to be no obstructions, barriers or signage placed on the windows of the Store.

Passed

Recommended by the Committee on Legislation

  
Chairman

TAB:rmv  
T:\wp60\msword\rmv\28c12-14c.doc

RECOM 17

27

191A

Mr. Golombek moved that the above item be recommitted to the Committee on Legislation.

ADOPTED

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 65**

**PASSED January 11, 2011**

J. Allen, Agent, Use 1600 Hertel for a Pole Sign(Del)(no pub hrg)(#51,12/14)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK  
2011 JAN 24 AM 9:17

198

J. Allen, Petition to use 1600 Hertel for a Pole Sign  
(Item No. 51, C.C.P., Dec. 14, 2010)  
(Item No. 60, C.C.P., Dec. 28, 2010)

That the above item be, and the same hereby is, returned to the Common Council without recommendation.

Mr. Golombek moved:

That the petition of J. Allen, agent, for permission to use 1600 Hertel Avenue to erect a 12' high pole sign 3'x5' is hereby is amended by the Petitioner to an application for 8' x 5' ground sign with landscaping at the base as recommended by the Planning Board and said application is approved.

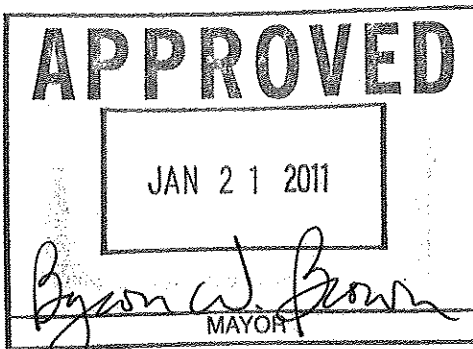
Passed. /COND

Recommended by the Committee on Legislation

Joseph Golombek  
Chairman

TAB:rmv

t:\wp60\msword\rmv\51c12-14c.doc



28

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	9	*	*
	*	*	0	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

00066

Protection from Natural Gas Extraction  
(Item No. 89, C.C.P., Nov. 3, 2010)

That the Resolution as listed above be, and hereby is adopted.

Adopt

Recommended by the Committee on Legislation

  
Chairman

TAB:rmv

t:\wp60\unsword\rmv\89c11-3c.doc

00067

195

COB Tree Removal Plan (except resolves)  
(#90, 11/3)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation Joseph Hubert

30

00068

196

M. LoCurto-Residents Opposing LED Billboard at 1225 Hertel Avenue  
(#61, 5/25)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation

*Joseph B. B. B.*

B1

00069

197

P. Fayushteyn Owner, Use 1225 Hertel for a LED Billboard Sign (Del)(No hrg)  
(#44, 2/2) (#61, 4/13)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation

32

00070

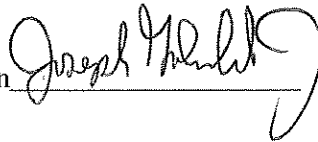
198

Creation of Green Building Code Task Force  
(#93, 11/10)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation

A handwritten signature in dark ink, appearing to read "Joseph M. Hendrix", written over a horizontal line.

33

199

## RESOLUTIONS

RESOLUTION

By: Mr. Franczyk

**Trailblazing Sign request for Tyler Likos**

- Whereas: Trailblazing signs, otherwise known as honorary street names, are generally assigned to honor and commemorate noteworthy persons associated with the City of Buffalo; and
- Whereas: Tyler Likos, born and raised in Buffalo, was a graduate of McKinley High School, where he earned a regents carpentry diploma; and
- Whereas: On May 27, 2010, Tyler's life was tragically cut short when a bus made a left hand turn in front of Tyler's motorcycle; and
- Whereas: Enrolled at Erie Community College with a goal of becoming a Buffalo Police Officer, Tyler always wanted to serve and help people in the community; and
- Whereas: A hard worker who was just beginning his life before this terrible accident, Tyler was very handy fixing things and was most happy when he was helping others; and
- Whereas: To pay tribute to the life of Tyler Likos, the family has requested that this Honorable Body place two trailblazing markers up on New Babcock Street, near the scene of the accident;

Now, Therefore be it Resolved:

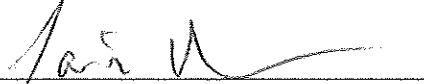
That the Common Council joins the Likos family in mourning the passing of Tyler Likos and offers their sincere condolences to Tyler's family and many friends; and

Be it Further Resolved:

That the Common Council of the City of Buffalo does hereby approve the request to place two trailblazing markers on New Babcock Street in honor of Tyler Likos; and

Be it Finally Resolved:

That the Department of Public Works is directed to erect these signs to this effect, once all fees associated with the posting of a Trailblazing Sign have been satisfied.

  
David A. Franczyk

**ADOPTED**

RESOLUTION

**Sponsor:** Mr. Golombek, MR. FRANEZYK, MR. FONTANA  
**Subject:** City of Buffalo Support for War of 1812 Bicentennial Celebration

**Whereas:** On June 18th, 1812, the United States of America declared war on the British Empire as part of a plan to annex Upper Canada (Ontario) and all British territory in North America to the west, marking the beginning of what would come to be known as the War of 1812; and

**Whereas:** The Niagara Frontier was the most hotly contested battlefield of the War of 1812, with the Great Lakes and Niagara River areas hosting numerous land and naval battles; and

**Whereas:** December 2010 marked the 197th anniversary of the invasion and burning of the village of Buffalo by the British during the War of 1812, an act done in retaliation for the burning of the Canadian village of Newark, now known as Niagara-on-the-Lake, Ont., by American forces; and

**Whereas:** The City of Buffalo is working with bicentennial organizers to arrange for commemorative bonfires to be lit along the shores of the Niagara River every so often between December 2010 and 2013, the 200<sup>th</sup> anniversary of the War of 1812, in order to commemorate the burnings of Buffalo and Black Rock by the British and Newark and Fort Erie by American forces. Event planners in Fort Erie, Ont. intend to hold similar events to promote community interest in the War of 1812 bicentennial; and

**Whereas:** The Historic Preservation Committee of the Black Rock/Riverside Good Neighbors Planning Alliance has sent a letter to the Buffalo Fire Department, which has been filed with the Common Council and is currently before the Legislation Committee, stating that they are seeking \$5,000 in seed money from the War of 1812 Binational Legacy Council, a coalition that is promoting events tied to the war's bicentennial, to get this commemorative bonfire pilot program started on the American side; and

**Whereas:** Canadian government agencies and foundations have already provided approximately \$19.5 million towards staging a fitting cross-border commemoration for the bicentennial of the War of 1812. These donations will be used to fund projects such as a makeover of the Niagara Falls, Ont., Historical Museum; improvements to Fort George; new signs on the Niagara River Parkway; a visitor center at Old Fort Erie; a Legacy Council web site; and a first edition bicentennial map; and

**Whereas:** Unfortunately, the only U. S. governmental funding that has thus far been provided for the War of 1812 bicentennial commemoration in Western New York has been a \$5,000 donation approved by the Niagara County Legislature and a recent commitment of \$15,000 from the City of Niagara Falls; and

**Whereas:** Dottie Gallagher-Cohen, president and CEO of the Buffalo Niagara Convention and Visitors Bureau, has been quoted as saying that her organization has found \$25,000 to \$50,000 in its budget for marketing and promotion of 1812 activities; and

**Whereas:** The Great Lakes Seaway Trail has \$120,000 in federal funding reimbursements for costs associated with 100 new interpretive signs; production of a new War of 1812 guidebook and brochure; and related tourism promotions; and

207

**Whereas:** In light of the historic role that Buffalo and the Greater Niagara Region played in the War of 1812 and the lasting impact of this international conflict on America, it would be unconscionable if the City of Buffalo, Erie County, New York State and the Federal Government did not follow the lead of our Canadian neighbors, the City of Niagara Falls and Niagara County by appropriately funding the War of 1812 bicentennial commemoration in Western New York.

**Now Therefore Be It Resolved:**

That the Common Council, in recognition of the importance of leading by example and the historic impact of the War of 1812 on our city, region and nation, intends to set aside a fraction of the money that is budgeted each year for Council Member's discretionary money, ideally in an amount of between \$5,000 and \$10,000 from each District Council Member, to provide funding for the War of 1812 bicentennial commemoration; and

**Now Therefore Be It Further Resolved:**

That this Honorable Body respectfully requests that the Mayoral Administration similarly identify funding that can be used to support the War of 1812 bicentennial commemoration; and

**Now Therefore Be It Further Resolved:**

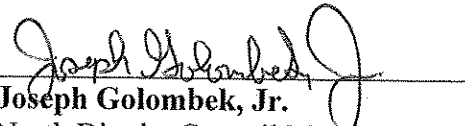
That this Honorable Body respectfully requests that the Mayoral Administration examine the possibility of including plans and recommendations for funding for special events such as the War of 1812 Bicentennial Commemoration as part of the City of Buffalo's Comprehensive Plan; and

**Now Therefore Be It Further Resolved:**

That this Honorable Body respectfully requests that our partners in Erie County government, New York State Government and the Federal Government identify appropriate funding to support the War of 1812 bicentennial commemoration; and

**Now Therefore Be It Finally Resolved:**

That this Resolution be referred to the appropriate Common Council Committee and forwarded to the Mayor, City Comptroller, Acting Corporation Counsel and our elected representatives in Erie County, New York State and the Federal Government for their review and comment.

  
**Joseph Golombek, Jr.**  
North District Council Member

ADOPT RESOLVES, REFER REMAINDER TO THE COMMITTEE ON <sup>LEG</sup> ~~FINANCE~~

RESOLUTION

By: Mr. Golombek

Re: **CREATION OF A SPECIAL ZONING DISTRICT- "THE PAN AMERICAN DISTRICT" – GREAT ARROW AVENUE TO THE SCAJAQUADA EXPRESSWAY BETWEEN DELAWARE AVENUE AND ELMWOOD**

Whereas: From time to time the unique characteristics of a particular area or areas of the City of Buffalo necessitate their designation as a special zoning district; and

Whereas: The Common Council has created these districts to preserve and stabilize particular areas of the city and to maintain and improve the unique characteristics of residential and commercial neighborhoods; and

Whereas: The creation of special zoning districts in the city has helped to ensure the continued viability of sound residential, commercial and cultural areas of the city, and the creation of a special zoning district for the area bordered by Great Arrow Avenue and the Scajaquada Expressway, between Delaware Avenue and Elmwood Ave., would likely have a similar positive effect; and

Whereas: The Common Council believes this area will benefit from site plan and review legislation; and

Whereas: The Common Council also believes that this area will benefit from additional legislation to restrict certain uses and guide future development;

Now, Therefore be it Resolved:

That the Common Council of the City of Buffalo directs the City Planning Board and its staff to work with the Corporation Counsel's office to draft zoning legislation which would aid in the preservation and improvement of this area; and

Now, Be It Further Resolved:

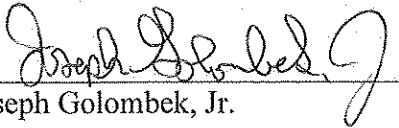
When drafting the ordinance creating a Pan-Am Special Zoning District, that no use shall be permitted in the Pan-Am Special Zoning District which is a use for dance halls, nightclubs, car washes, eating and drinking establishments, take-out food places, tattoo parlors, billiard parlors, amusement arcades, private clubs and general merchandise stores, except if a restricted use permit is issued for such use pursuant to section 511-55 of the City of Buffalo Code; and

Now, Be It Finally Resolved:

203

36

204  
That copies of this resolution be sent to the Corporation Counsel, City Planning Board, Economic Development, Permit and Inspection Services and the Office of Strategic Planning for their review and comments.

  
Joseph Golombek, Jr.

ADOPT RESOLVES, REFER REMAINDER TO THE COMMITTEE ON LEGISLATION

**City Clerk's Department  
BUFFALO**

**January 14, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present  
herewith the attached resolution item.

**No. 74**

**PASSED January 11, 2011**

Disch CD ccp#61, 9/21 -- Report of Sale 260 Chandler (North)

Gerald A Chwalinski  
City Clerk

FILED  
CITY CLERK

2011 JAN 24 AM 9:17

## RESOLUTION

By Mr. LoCurto

**Re: Discharge Community Development Committee**

**No 61, C.C.P. September, 21, 2010 Report of Sale-260 Chandler (North)  
(Strat Plan)(#12,9/7)"**

Whereas: The above item is currently in the Community Development Committee; and

Whereas: It is no longer necessary for this item to be considered by that committee;

Now, Therefore Be It Resolved:

That this Common Council does hereby discharge the Community Development from further consideration of Item **No 61, C.C.P. September, 21, 2010 Report of Sale-260 Chandler (North)(Strat Plan)(#12,9/7)"** and said item is now before the Common Council for its consideration.



Michael J. LoCurto  
Council Member – Delaware District  
Chairman, Community Development Committee



PASSED

APP

36 AA  
PF

206

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	9	0	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

201

**Sponsor:** Darius G. Pridgen  
**Subject:** Consumption and Sale of Alcohol to Minors

**WHEREAS:** In light of recent events involving the unruly behavior and consumption of alcohol by individuals under the age of twenty-one visiting our City during the World Junior Hockey Championships, the Buffalo Common Council wishes to express its concern for the health, safety and welfare of all individuals that live, work visit our City; and

**WHEREAS:** It is the duty of this honorable body to take immediate and conscientious actions preventing future instances of underage drinking in the City of Buffalo. Elected officials, charitable organizations, parents and the business community must work together to hold establishments that sell and/or serve alcohol to minors accountable; and

**WHEREAS:** Media reports indicated that individuals under the age of twenty-one were openly consuming alcoholic beverages at bars and hotels during the Hockey Championships. Serving or selling an alcoholic beverage to a person less than twenty-one years old is illegal in New York State (NYS Penal Code § 260.20 (2)) and any bar or hotel that served alcoholic beverages to minors broke the law in doing so; and

**WHEREAS:** In addition to being illegal, underage drinking has been linked to injury and risky behavior. Approximately 5,000 individuals under the age of 21 die every year as a result of underage drinking – from crashes, homicides, and suicides. Teens that drink also are at risk for a long list of other injuries and potential life-long alcohol abuse; and

**WHEREAS:** In an attempt to prevent underage drinking, the Buffalo Common Council frequently utilizes its powers in the restaurant and dancehall licensing process to limit establishments from holding “co-mingling events,” whereby patrons of a legal drinking age and patrons not of a legal drinking age are attending and/or otherwise “co-mingling” at any single event occurring at an establishment. Unfortunately, the limited powers of the city is often inadequate for addressing the problem of underage drinking, particularly after a permit or license is issued; and

**WHEREAS** In New York State, the State Liquor Authority ultimately provides oversight over the sale of alcohol because it is the entity that issues licenses and permits for the manufacture, wholesale distribution and retail sale of all alcoholic beverages. The State Liquor Authority has the power to suspend and revoke licenses of establishments that have been found to frequently serve alcohol to minors as per the Alcoholic Beverage Control Law §65; and

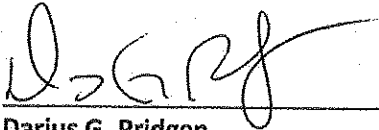
**WHEREAS:** The City of Buffalo Common Council has an obligation to city residents to ensure that all establishments located in the City of Buffalo granted a retail license from the New York State Liquor Authority are in full compliance with the requirements mandated to maintain their license; and

**WHEREAS:** While the vast majority of bars, restaurants and hotels in the Downtown Buffalo and Chippewa Entertainment District are responsible and positive members of the local business community, and in many cases have vocally expressed a desire to see a crack-down on the serving of alcohol to minors, unfortunately, irresponsible business owners do exist and all reports of serving alcohol to minors must be seriously investigated by the appropriate authorities.

**NOW, THEREFORE, BE IT RESOLVED:** That the State Liquor Authority, Buffalo Police Department and the Department of Permit and Inspections are hereby requested to commence an immediate investigation into all reported events involving the sale of alcohol to minors during the World Junior Hockey Championships; and

36A  
R7  
LGB SLA

**BE IT FINALLY RESOLVED:** That the Common Council directs that copies of this resolution be sent to the N.Y. State Liquor Authority, Buffalo Police Department, Buffalo Place, Department of Permit and Inspections, and the City administration, and asks that these groups work closely together to find a solution to this critical public safety issue.



**Darius G. Pridgen**

Ellicott District Council Member

**REFERRED TO THE COMMITTEE  
ON LEGISLATION.**

AND NYS Liquor Authority

RESOLUTION

208

**SPONSOR:** Common Council Member Darius G. Pridgen

**SUBJECT:** Implementing Use of an Automated Funds Transfer Program for the Payment of City Billings

**WHEREAS:** Buffalo homeowners pay property taxes and user fees to the city with many individuals opting to pay these debts electronically over the internet; and

**WHEREAS:** Although the city mails bills to homeowners informing them of the amount owed and the due date, it is often difficult for many residents to remember the myriad of due dates for their property taxes and various city debts. As a result, many residents pay a late surcharge to the city because they neglected to pay their debt on time; and

**WHEREAS:** Many organizations that have reoccurring payment structures have successfully implemented Automated Funds Transfer Programs which allows them to collect money on a reoccurring basis directly from the customer's bank account for the debts owed to them without any action from the customer other than the initial consent and set-up; and

**WHEREAS:** Many of these organizations have experienced improved customer satisfaction and an increase in the number of customers paying their bills which they attribute to the implementation of Automated Funds Transfer Programs; and

**WHEREAS:** Many municipalities across the country are currently implementing Automated Funds Transfer Programs for residents to pay property taxes and user fees similar to those currently collected by the city; and

**WHEREAS:** There is demand among city residents for implementing Automated Funds Transfer Programs to allow homeowners to pay reoccurring debts to the city that:

- Requires the individual to voluntarily authorize the city to collect debts owed to it directly from the individual's bank account or credit card;
- Allows the individual to drop out of the Automated Funds Transfer Programs at any time;
- Continues to mail a bill to the homeowner containing the date the money will be withdrawn and the amount to be withdrawn from the individual's bank account; and

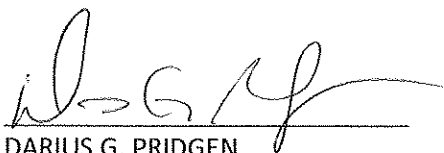
**WHEREAS:** When the city previously investigated adding new electronic features to its bill payment program, several legal and technological impediments made implementation impractical. However, as the banking industry and technology continues to evolve, the exploration of new features available to the city for its bill payment program is warranted.

**NOW, THEREFORE, BE IT RESOLVED**

That the City of Buffalo Department of Administration, Finance, Policy and Urban Affairs, City Comptroller, Law Department and Department Management Information Systems are hereby requested to investigate implementation of a Automated Funds Transfer Programs for paying City of Buffalo billings and report its finding to the Common Council; and

**BE IT FURTHER RESOLVED**

That this matter be referred to the Common Council Finance Committee awaiting response and/or implementation.



DARIUS G. PRIDGEN  
Common Council Member  
Ellicott District

37

ADOPT RESOLVES, REFER REMAINDER TO THE COMMITTEE ON FINANCE

## RESOLUTION

BY: Council Member Darius G. Pridgen, ~~ALL~~

ALL MEMBERS

RE: Real Time Transparency in the City of Buffalo Through Live Streaming

**WHEREAS**, openness and transparency have been a constant and consistent request from City of Buffalo Residents; and

**WHEREAS**, transparency, constituent access, and full disclosure are keys to maintaining and building trust between Constituents and their elected Government Officials; and

**WHEREAS**, an open accessible government encourages citizen participation, as well as their awareness and knowledge of the actions taken by their elected officials; and

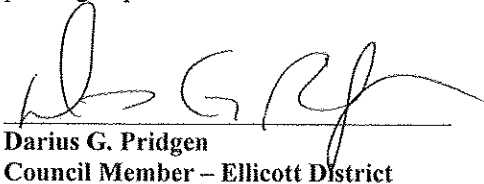
**WHEREAS**, current City of Buffalo communications and technology provides playback to the public via the City of Buffalo's Public Access Television Channel, and Website after meetings occur; and

**WHEREAS**, the technology now exists to give citizens access to government meetings and hearings; with full motion audio and video through their own computers on a real time basis through the internet via live streaming; and

**WHEREAS**, live video streaming through the internet breaks down the barriers of transportation, scheduling, and the ability to have a physical presence at public meetings, and creates direct citizen access to decisions, discussions, and the direction of government officials; and

**WHEREAS**, the City of Buffalo Common Council should lead the region as an example of open government via live streaming technology and now that this technology is accessible and affordable; come into full compliance with New York State Executive Order Number 3(Spitzer) "Promotion of Public Access to Government Decision-making".

**NOW, THEREFORE BE IT FINALLY RESOLVED** that the City of Buffalo Common Council in its commitment to Openness and Transparency hereby requests of the Division of Telecommunications, and the Department of Management Information Systems that they work closely with the Common Council Legislative Staff to purchase and install necessary technologies and services to stream all City of Buffalo Public Meetings live through the internet, and that this matter be referred to the Finance Committee pending implementation of this instance.



Darius G. Pridgen  
Council Member - Ellicott District

ADOPT RESOLVES, REFER REMAINDER TO THE COMMITTEE ON ~~FINANCE~~

LEB

## Resolution

**Re:** Reapportionment Process  
**By:** Mr. Smith, Mr. Pridgen Mrs. Russell

**Whereas:** The City Charter states "whenever a reapportionment or redefinition of the elective districts of the city is to be made, a citizens advisory commission on reapportionment shall be appointed to render advice and make recommendations to the common council concerning the appropriate number of district and at-large council seats and the appropriate division of the city into districts for the election of council members; and

**Whereas:** In January of the year following each decennial census, the city clerk shall solicit nominations from citizens and community organizations of persons to be considered for appointment to the commission; and

**Whereas:** the President of the Common Council of the City of Buffalo with the approval of the Common Council shall appoint five members of the Citizens Advisory Commission. The Citizens Advisory Commission on reapportionment shall consist of appointed members who are registered voters residing in the City of Buffalo. Commission Members shall be recognized community leaders selected to assure the representation of the geographic, social, and ethnic diversity of the city; and

**Whereas:** In the preparation of a plan for dividing the city into districts for the election of council members, the following criteria and standards shall be applied:

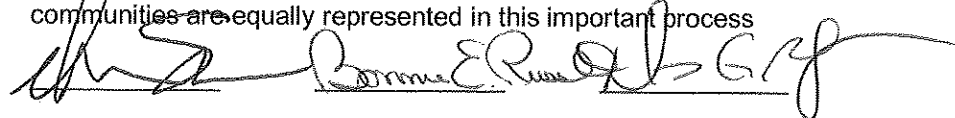
- The population of each district shall be approximately equal
- Districts shall be compact, and the variation between the length and width of a district shall be minimized
- All sections of a district shall be contiguous or physically connected
- Identifiable communities of interest, including neighborhoods and communities with established social, racial, ethnic, or other ties, shall be preserved.

**Whereas:** The council shall consider the recommendations of the citizens advisory commission on reapportionment and adopt a plan determining the number of district and at-large council seats and dividing the city into districts for the election of district council members. The plan shall be adopted and forwarded to the mayor by the 30th day of July in the year following the decennial census. The council shall hold one or more public hearings prior to its adoption of a redistricting plan.

**Whereas:** As of January 10 2011, the City Clerk has not solicited any nominations from citizens and community organizations of persons to be considered for appointment to the Commission nor made public the reapportionment process. With there being 21 days left in January the Council should work toward openness and transparency to avoid any claims of impropriety and unfairness in the process; and .

Now Therefore Be It Resolved:

The City Clerk be immediately directed to release information and solicit nominations from citizens and community organizations to be considered for appointment to the Citizens Advisory Commission on Reapportionment in order to ensure fairness and all communities are equally represented in this important process



Demone Smith

Bonnie Russell

Darius Pridgen

**ADOPTED**

ADOPT

38A  
 2X

RESOLUTION

By: Mr. Smith

**Trailblazing Sign request for Pastor James R. Banks II**

- Whereas: Trailblazing signs, otherwise known as honorary street names, are generally assigned to honor and commemorate noteworthy persons associated with the City of Buffalo; and
- Whereas: Born on June 28, 1955 in Albany, NY, James R. Banks II attended American Baptist College and Seminary in Nashville, Tennessee; and
- Whereas: After preaching at Faith Baptist Church in May and June of 1980, James R. Banks was called to be the third Pastor of Faith Baptist in February of 1981; and
- Whereas: During Pastor Banks' Pastorate the church has seen tremendous growth. Updates to the church building include: an elevator, making the church handicapped accessible; a new organ, grand piano and visual equipment for the choral music ministry; the Martin Luther King Jr. Community Center adjoining the Church which has hosted a daycare, and boy scout and girl scout troops, as well as the Urban League of Buffalo and Erie County; and
- Whereas: Faith Baptist Church has established a tithe ministry to distribute funds to community organizations and charities. The Mitchell-Cofield scholarship fund was established and named after the two former pastors, Roscoe Mitchell and Junius Cofield. The fund now issues over \$1,000 in scholarships annually to Faith Baptist college students; and
- Whereas: Pastor Banks will be celebrating 30 years as Pastor of Faith Baptist Church this year; and
- Whereas: A trailblazing sign is an appropriate honor for Pastor Banks, whose tireless work ethic, faith, integrity and commitment to the community continues to set an example for others;

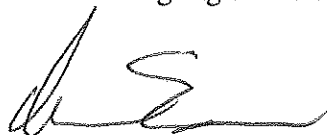
Now, Therefore be it Resolved:

That the Common Council of the City of Buffalo hereby approves the installation of trailblazing signs at Faith Baptist Church, 626 Humboldt Parkway (Poles #620 and 624) proclaiming the portion of Humboldt Parkway as "Pastor James R. Banks II Way"; and

Be it Finally Resolved:

That the Department of Public Works is directed to erect these signs to this effect, once all fees associated with the posting of a Trailblazing Sign have been satisfied.

**ADOPTED**



Demone A. Smith

00080

BY: DEMONE A SMITH

Appointments  
Commissioners of Deeds  
Required for the Proper  
Performance of Public Duties

That the following person(s) are hereby appointed as Commissioner of Deeds for the term ending December 31, 2012, conditional upon the persons so appointed certifying under oath to their qualifications and filing same with the City of Buffalo

**See attached list**

TOTAL

ADOPTED

- |     |                           |     |                         |
|-----|---------------------------|-----|-------------------------|
| 1)  | Abraham, John M.          | 44) | Gajewski, Marguerite L. |
| 2)  | Acosta, Clarissa          | 45) | Gallagher, Jo Ann       |
| 3)  | Albert, Kristen           | 46) | German, Shaun           |
| 4)  | Albini, Suzanne           | 47) | Gizowski, Jessica       |
| 5)  | Anderson, David           | 48) | Grant, Darlene          |
| 6)  | Andrews-Shelley, Kathleen | 49) | Greeene, Maria          |
| 7)  | Anthony, Rebecca          | 50) | Grobe, H. Fredericka    |
| 8)  | Averion, Sara             | 51) | Hallock, Ruth A.        |
| 9)  | Bartus, Marylou           | 52) | Hansen, Nettie          |
| 10) | Benes, Kristen M.         | 53) | Hanson, Stacy           |
| 11) | Berry, Danielle           | 54) | Hasselberg, Margaret    |
| 12) | Blattenberger, Loren      | 55) | Heicklen, Robert        |
| 13) | Boyd, Jasmine             | 56) | Hinsken, Colleen        |
| 14) | Bryans, Michelle          | 57) | Hollihan, Mark K.       |
| 15) | Burrows, Dawn             | 58) | Hughes, Amy C.          |
| 16) | Carosa, Debra             | 59) | Jankiewicz, Gregory     |
| 17) | Carr, Marcia              | 60) | Janusz, Michele         |
| 18) | Cartwright, Mary          | 61) | Jozens-Dingeldey, Mary  |
| 19) | Cebulski, Darlyne         | 62) | Kaminska, Pamela        |
| 20) | Cherry, Charlene A.       | 63) | Kasniak, Kathleen       |
| 21) | Chochrone, Dawn           | 64) | Kennedy, Shelia         |
| 22) | Cleary, Jr., John M.      | 65) | King, Sharita           |
| 23) | Cole, Donna               | 66) | Klonowski, Melissa      |
| 24) | Collins, Sylvia           | 67) | Klotzbir, Timothy J.    |
| 25) | Coplin, Christie          | 68) | Kowal, Kelly            |
| 26) | Coplin, Donna M.          | 69) | Krakowiak, Daryl        |
| 27) | Costantino, Anthony       | 70) | Kroll, Bonnie           |
| 28) | Costello, John            | 71) | LoCicero, Joann         |
| 29) | Coster, Anita             | 72) | Martin, Donna           |
| 30) | Cotroneo, Samuel P.       | 73) | Martz, Lisa             |
| 31) | Curry, Sonia              | 74) | Maturski, Karen         |
| 32) | Czekalski, Jill C.        | 75) | Mayes, Sandra           |
| 33) | Davis, Candace            | 76) | McCarthy, Jacqueline    |
| 34) | Davis, Cassandra          | 77) | McClure, Amanda         |
| 35) | Denecke, Joseph O.        | 78) | McFarland, Michelle     |
| 36) | Dill, Daniel A.           | 79) | McMahon, Helene         |
| 37) | Edwards, Markita          | 80) | McMullen, Renee         |
| 38) | Fest Patricia             | 81) | McNamee, Winter         |
| 39) | Fitzpatrick, Connie       | 82) | Mendola, Isabella       |
| 40) | Fleischer, Kimberly M.    | 83) | Mermon, Iris            |
| 41) | Frank, Dexter             | 84) | Miller, Desiree         |
| 42) | Freeman, Alina            | 85) | Miller, Michael         |
| 43) | Fritz, Winston A.         | 86) | Miller, Rosalind R.     |

- |      |                       |      |                            |
|------|-----------------------|------|----------------------------|
| 87)  | Miskovski, Marion     | 130) | Suto, Kevin F.             |
| 88)  | Mitchell, Adina       | 131) | Szafranek, Kathleen        |
| 89)  | Montgomery, Tamara    | 132) | Torre, Philip              |
| 90)  | Moore, Joyce E.       | 133) | Valesko-Foster, Karilyn A. |
| 91)  | Nabozny, Jeannette    | 134) | Vaughn, Mark J.            |
| 92)  | Nance, Angel          | 135) | Vickerd, John T.           |
| 93)  | Neal, Raynette        | 136) | Vogel, Lawrence            |
| 94)  | Noguera, Cathy        | 137) | Voigt, Barbara J.          |
| 95)  | O'Brien, Julie        | 138) | Wachowiak, Mary K.         |
| 96)  | Pagano, Loretta G.    | 139) | Wallace, Jeannette         |
| 97)  | Paluh, Cindy L.       | 140) | Weigand, Carol A.          |
| 98)  | Perillo, Sandra D.    | 141) | Wells, Sabrina             |
| 99)  | Petronella, Joseph A. | 142) | Wickett, Denise A.         |
| 100) | Piccione, Lorian      | 143) | Williams, Amita            |
| 101) | Pierce, Patricia A.   | 144) | Yelder, Jason              |
| 102) | Pilkey, Tina E.       | 145) | Zak, Eliza                 |
| 103) | Pogorzelski, Jennifer |      |                            |
| 104) | Pointer, Tulan        |      |                            |
| 105) | Pridgen, Darius G.    |      |                            |
| 106) | Przybylak, Carol      |      |                            |
| 107) | Richardson, Barbara   |      |                            |
| 108) | Ricketts, Jeffrey T.  |      |                            |
| 109) | Riga, Joseph          |      |                            |
| 110) | Rivera, Alfredo       |      |                            |
| 111) | Rivera, Jaclyn        |      |                            |
| 112) | Rivers, Sarah         |      |                            |
| 113) | Rodriguez, Marisol    |      |                            |
| 114) | Rohloff, Kristine     |      |                            |
| 115) | Rose, Ebony           |      |                            |
| 116) | Rossi, Lucia          |      |                            |
| 117) | Rucker, Annette       |      |                            |
| 118) | Russell, Melanie A.   |      |                            |
| 119) | Schie, Renee          |      |                            |
| 120) | Shea, Karen           |      |                            |
| 121) | Simms, Ann Marie      |      |                            |
| 122) | Siskar, Suzanne       |      |                            |
| 123) | Sousis, Julie         |      |                            |
| 124) | Spino, Joseph A.      |      |                            |
| 125) | Stambach, Mark R.     |      |                            |
| 126) | Stokes, Virginia      |      |                            |
| 127) | Stoneman, JoAnne      |      |                            |
| 128) | Stroczkowski, Dale    |      |                            |
| 129) | Summers, Heather A.   |      |                            |

BY: DEMONE A SMITH

Appointments  
Commissioner of Deeds

That the following persons are hereby appointed as Commissioner of Deeds for the term ending December 31, 2012, conditional, upon the person so appointed certifying under oath to their qualifications and filing same with the City Clerk:

- Lori A. Rykovich
- Christopher P. Savage

TOTAL 2

ADOPTED

## ANNOUNCEMENT OF COMMITTEE MEETINGS

The following meetings are scheduled. All meetings are held in the Common Council Chambers, 13<sup>th</sup> floor City Hall, Buffalo, New York, unless otherwise noted.

**Regular Committees**

Committee on Civil Service	Tuesday, January 18, 2011 at 9:45 o'clock A.M.
Committee on Finance following Civil Service	Tuesday, January 18, 2011 at 10:00 o'clock A.M.
Committee on Comm. Dev.	Tuesday, January 18, 2011 at 1:00 o'clock P.M.
Committee on Legislation	Tuesday, January 18, 2011 at 2:00 o'clock P.M.

**Special Committees**

Committee on Education	Wednesday, January 19, 2011 at 10:00 o'clock AM
Committee on Legislation	Wednesday, January 19, 2011 at 11:00 o'clock AM

(Public Disclaimer): All meetings are subject to change and cancellation by the respective Chairmen of Council Committees. In the event that there is sufficient time given for notification, it will be provided. In addition, there may be meetings set up whereby the City Clerk's Office is not made aware; therefore, unless we receive notice from the respective Chairmen, we can only make notification of what we are made aware.

00083

215

No.

Adjournment

*MRS. RUSSELL*

On a motion by Mr. Fontana, Seconded by ~~Mr. Kearns~~, the Council adjourned at

*2:45 PM*

GERALD CHWALINSKI  
CITY CLERK

January 11, 2011

**SPECIAL SESSION**  
**January 4, 2011**  
**AT 1:55 P.M.**

- |    |  |       |
|----|--|-------|
| 1. | Call for Special Session_____                                | R&F   |
| 2. | Budget & Personnel Amendment- Ellicott District Office _____ | APP   |
| 3. | Appt. Legislative Assistant _____                            | ADOPT |
| 4. | Appt. Legislative Aide _____                                 | ADOPT |
| 5. | Adjourn_____   | R&F   |

COMMON COUNCIL  
CITY HALL – BUFFALO  
SPECIAL SESSION  
January 4, 2011  
at 1:55 P.M.

**PRESENT :** David A. Franczyk President of the Council, and Council Members  
Fontana, Golombek, Kearns, LoCurto, Pridgen, Rivera, Russell, Smith - 9.  
**ABSENT** None.

	* AYE * NO *			
				*
FONTANA	*	/	*	*
FRANCZYK	*	/	*	*
GOLOMBEK	*	/	*	*
KEARNS	*	/	*	*
LOCURTO	*	/	*	*
PRIDGEN	*	/	*	*
RIVERA	*	/	*	*
RUSSELL	*	/	*	*
SMITH	*	/	*	*
	*		*	*
	*	9	*	*
	*		*	*
	*		*	*

Maj - 5  
2/3 - 6  
3/4 - 7

No. 1

CALL FOR  
SPECIAL SESSION

January 3, 2011

Mr. Gerald A. Chwalinski  
City Clerk  
1308 City Hall  
Buffalo, New York

Dear Mr. Chwalinski:

Pursuant to Section 3.9 of the Charter of the City of Buffalo, upon the written request of Five Councilmembers, dated January 3, 2011 presented to you herewith, I hereby call a Special Meeting of the Common Council to be held in the Council Chambers, City Hall, Buffalo, New York, on January 4, 2011 at 1:05P.M. for the following purpose:

To receive and take appropriate action on :

1. Salary Ordinance and Appointments to Ellicott District Office

Yours very truly,



David A. Franczyk

President of the Council

4

January 3, 2011

Hon. David A. Franczyk  
President Common Council  
1315 City Hall  
Buffalo, New York

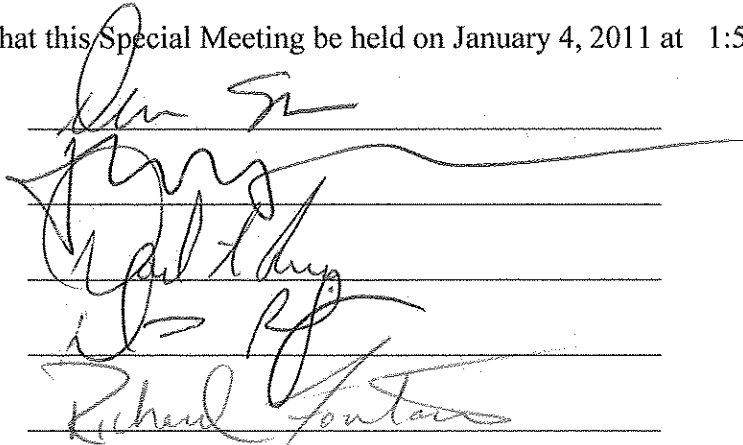
Dear Sir:

WE, the undersigned, members of the Common Council, hereby request that you call a Special Meeting of the Common Council, pursuant to Section 3.9 of the Charter of the City of Buffalo, for the following purpose:

To receive and take appropriate action on

1. Salary Ordinance and Appointments to Ellicott District Office

We request that this Special Meeting be held on January 4, 2011 at 1:55 P.M.

  
The block contains five handwritten signatures, each written over a horizontal line. From top to bottom, the signatures are: 1. A signature that appears to be 'Dan S...'. 2. A signature that appears to be 'James...'. 3. A signature that appears to be 'Michael...'. 4. A signature that appears to be 'RJ...'. 5. A signature that appears to be 'Richard Fontana'.

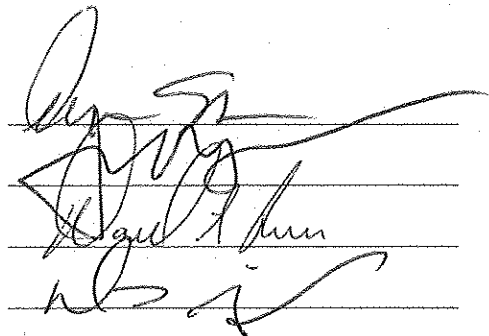
5


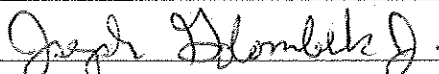
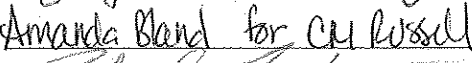
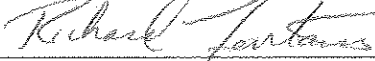
Pursuant to Rule 2 of the Rules of Order of the Common Council of the City of Buffalo, each of the following named members of the Common Council, to wit:

RICHARD FONTANA  
MICHAEL KEARNS  
DARIUS G. PRIDGEN  
BONNIE E. RUSSELL

JOSEPH GOLOMBEK  
MICHAEL LOCURTO  
DAVID A. RIVERA  
DEMONE SMITH

hereby states that he/she received twenty-four (24) hours' notice of the time and purpose of the Special Meeting of the Common Council duly called to be held on January 4, 2011 at 1:55 P.M.

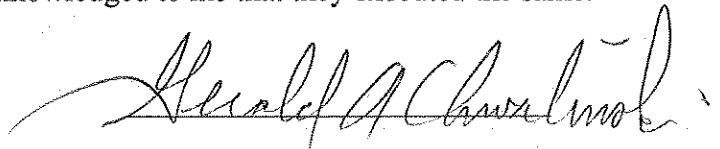


Brad Hamm for CM Locurto   
Joseph Golombek J.   
Amanda Band for CM Russell   
Richard Fontana 

STATE OF NEW YORK  
COUNTY OF ERIE) ss:  
CITY OF BUFFALO)

On this 3rd day of January 2011, before me, the subscribers, personally appeared

To me known to be the same persons described in and who executed the foregoing instrument, and they duly and severally acknowledged to me that they executed the same.



Commissioner of Deeds, in and for  
the City of Buffalo, N.Y.  
My Commission expires 12/31/12

6

# OFFICE OF THE CITY CLERK

**GERALD A. CHWALINSKI**

*City Clerk  
Registrar of Vital Statistics*

**WILMER OLIVENCIA, JR.**

*Deputy City Clerk*

**DIANA RICO**

*Deputy City Clerk Vital Statistics  
Deputy Registrar of Vital Statistics*



65 NIAGARA SQUARE  
ROOM 1308 CITY HALL  
BUFFALO, NEW YORK 14202  
PHONE: (716) 851-5431  
FAX: (716) 851-4845

January 3, 2011

**TO EACH MEMBER OF THE COMMON COUNCIL:**

YOU ARE HEREBY NOTIFIED that, pursuant to Section 3.9 of the Charter of the City of Buffalo, upon the written request of Five Councilmembers, dated January 3, 2011, DAVID A. FRANCYK, President of the Common Council, has called a Special Meeting of the Common Council, to be held in the Council Chambers, City Hall, Buffalo, New York, on January 4, 2011 at 1:55 P.M. for the following purpose:

To receive and take appropriate action on all items relating to

1. Salary Ordinance and Appointments in Ellicott District Office

Yours very truly,

Gerald A. Chwalinski  
City Clerk

**RECEIVED AND FILED**

**City Clerk's Department  
BUFFALO**

**January 4, 2011**

HON. BYRON W. BROWN  
MAYOR OF BUFFALO

DEAR SIR:

Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

**No. 2**

**PASSED January 4, 2011**

Budget & Personnel Amendment-Ellicott District Office

Gerald A Chwalinski  
City Clerk



FILED  
CITY CLERK  
2011 JAN - 6 AM 11:11

2  
7  
BY: Ms. RUSSELL

**BUDGET AND PERSONNEL AMENDMENT  
01 – COMMON COUNCIL  
1003 – COUNCILMEMBER # 2**

The Common Council of the City Of Buffalo does ordain as follows:

From: 10103001-411001 Salary \$ 2,460

To: 10220001-412002 Hourly \$ 2,460

That part of Section 1 of Chapter 35 of the Code of the City of Buffalo, relating to 15 – Administration & Finance, 1045-Collections which currently reads:

1 Senior Legislative Assistant \$ 46,083


Is hereby amended to read:

1 Legislative Assistant \$ 41,163

IT IS HEREBY CERTIFIED, that a personnel requisition incident to the creation of the above-mentioned position, containing a statement of the duties for such position, has been filed with the Municipal Civil Service Commission, and said Commission has approved and certified the position title set forth in the foregoing ordinance as being the appropriate Civil Service title for the proposed position

GERALD CHWALINSKI, CITY CLERK AND DONNA J. ESTRICH, DIRECTOR OF BUDGET, ADMINISTRATION AND FINANCE, hereby certify that the above change is necessary for the proper conduct, administration and performance of essential services of that department. We recommend that the compensation for said position be fixed at the respective amount set forth in the foregoing ordinance.

  
GERALD CHWALINSKI  
CITY CLERK

  
DONNA J. ESTRICH  
DIRECTOR OF BUDGET,  
ADMINISTRATION AND FINANCE

**PASSED**

APPROVED AS TO FORM

Acting Corporation Counsel 12/30/10  
Attachment SOA

\* AYE \* NO \*

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
PRIDGEN	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	9	0	*
	*	*	*	*
	*	*	*	*

Maj - 5  
2/3 - 6  
3/4 - 7

9  
3  
No.

**Appointment Legislative Assistant to Councilmember**

**By Mr. Pridgen**

**The Common Council hereby moves approval of the appointment of Vernee Shaw, 77 Urban Street Buffalo, New York 14211 to the position of Legislative Assistant pursuant to Section 27 of the Charter of the City of Buffalo.**

**Seconded by Councilmember Kearns**

**ADOPTED.**

No. 4

**Appointment Legislative Aide****By Mr. Pridgen**

**The Common Council hereby moves approval of the appointment of Deborah E. Tucker 83 Urban Street, Buffalo, New York 14211 to the position of Legislative Aide pursuant to Section 27 of the Charter of the City of Buffalo.**

**Seconded by** *councilmember Kearns*

**ADOPTED.**

No. 5

Adjournment

On a motion by Councilmember Fontana, Seconded by *Cambridge*, the Council  
adjourned at *2:02pm*

GERALD A. CHWALINSKI  
CITY CLERK